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OFFICE OF CRIMINAL JUSTICE PROGRAMS

ADMINISTRATIVE MANUAL



**Office of Criminal Justice Programs
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OCJP ADMINISTRATIVE GRANT MANUAL

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OCJP ADMINISTRATIVE GRANT MANUAL

INTRODUCTION

This document is provided for use by all subrecipient staff receiving grant funds administered by the Tennessee Office of Criminal Justice Programs (OCJP). This Guide is to serve as reference for the financial and programmatic requirements/responsibilities of projects funded through the OCJP:

The following are Federal grants administered by the Office of Criminal Justice Programs. These grants are awarded to numerous subrecipients throughout Tennessee.

Edward Byrne JAG Memorial Grants (CFDA # 16.738): The purpose of the Byrne/JAG Formula Grant Program is to counter the violent crime and the threat of violent crime that has seriously eroded the quality of life for all citizens. Byrne/JAG Formula Grant Programs are intended to allow states to broaden their strategies in addressing both drug and violent crime issues. To assist in the accomplishment of this task, Congress and the executive branch have established National priorities for responding aggressively and effectively to violent crime, and reducing drug trafficking and abuse. These priorities include:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment programs
- Planning, evaluation and technology improvement programs

Using the National Priorities as a guide, Tennessee has identified specific needs and gaps. To address these areas of need OCJP has developed, with input from public hearings, statewide surveys and state level planning groups, six state priority areas. These priority areas include Offender Apprehension, Community Based Services, Court Support, Criminal Justice Records Improvement, Victim Advocacy, and Offender Rehabilitation. These priority areas allow Tennessee to prioritize program development in the areas of prevention, law enforcement, adjudication, corrections, treatment and information systems and technology improvement.

Tennessee had developed specific program areas to respond to these six state priorities. Under these specific programs Tennessee funds approximately 100-120 individual projects annually. The specific program areas include the following:

- Multi-Jurisdictional Drug and Violent Crime Task Force
- Response to Gang Activities
- Pre-Trial Service Delivery
- Special Prosecution Programs
- Criminal Justice Information Systems
- Domestic/Family Violence Training Program
- Victim/Witness Program

- Correctional Treatment
- Prison/Jail Industries
- Community Crime Prevention

(See Byrne/JAG [Appendix A](#) - Legislative Authority)

Family Violence Shelter Programs (CFDA # 93.671): The Family Violence Shelter Program provides immediate shelter and related assistance to victims of family violence and their dependents. States must give emphasis to the support of community-based projects of demonstrated effectiveness carried out by non-profit organizations, particularly those projects where the primary purpose is to operate shelters for victims of family violence, and those which provide counseling, advocacy, and self-help services to victims and their children. Shelter Programs must provide the following eight (8) core components:

- safe confidential shelter
- 24 hour crisis hot-line
- counseling
- advocacy
- transportation
- community education
- referral
- follow-up

(See FVS [Appendix A](#) -Legislative Authority)

STOP Violence against Women Formula Grants (CFDA # 16.588): The purpose of the STOP Violence Against Women Grant Program is to assist state agencies, units of local government, and nonprofit organizations in carrying out specific projects which offer a high probability of improving the functioning of the criminal justice system. This grant program provides funding for projects that assist in efforts to reduce violence against women **and men**, specifically domestic violence, sexual assault and stalking.

(See STOP [Appendix A](#) - Legislative Authority)

STOP Grants promote a coordinated, multidisciplinary approach to improving the criminal justice system's response to violence against women. This approach envisions a partnership among law enforcement, prosecution, the courts, victim advocates and service providers to ensure victim safety and offender accountability.

Tennessee must allocate STOP Program funds as follows:

- 25% support law enforcement programs,
- 25% to prosecution programs,
- 30% to nonprofit, nongovernmental victim services programs (**of which 10% must go to culturally specific community based organizations**),
- 5% to court programs, and
- 15% to further support law enforcement, prosecution, court or victim services programs at the state's discretion.

STOP-funded programs must address one or more of the following purpose areas:

- Training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women;
- Developing, training, or expanding specialized units of law enforcement officers and prosecutors targeting violent crimes against women;
- Developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically dedicated to identifying, and responding to violent crimes against women;
- Developing, installing, or expanding data collection and communication systems linking police, prosecutors, and courts or that are designed to identify and track arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women;
- Developing, enlarging, or strengthening victim service programs, including sexual assault and domestic violence programs;
- Developing, enlarging, or strengthening programs addressing stalking;
- Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women.
- Supporting statewide, multidisciplinary efforts to coordinate the response of law enforcement, prosecution, courts, and victim services to sexual assault, domestic violence, dating violence, and stalking.
- Training sexual assault forensic medical personnel examiners
- Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and victim services to address and recognize the needs and circumstances of older and disabled individuals who are victims of domestic violence and sexual assault.
- Providing assistance to victims of domestic violence and sexual assault in immigration matters.
- Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families.
- Supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have the expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities:
 1. developing in collaboration with prosecutors, courts and victim service providers, standardized response policies for local law enforcement agencies, including triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized;
 2. notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;

(referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and

3. taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order.
- To provide funding to law enforcement agencies, non-profit nongovernmental victim services providers, and State, tribal, territorial, and local governments, (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote:
 1. the development and implementation of training of local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates,” to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;
 2. the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies (such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project” July 2003);
 3. the development of such protocols in collaboration with State, tribal, territorial and local victim services providers and domestic violence coalitions.

Any law enforcement, State, tribal, territorial, or local government agency receiving funding under the Crystal Judson Domestic Violence Protocol Program under paragraph (n) shall on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of 2 years, provide a report of the adopted protocol to the Department of Justice, including a summary of progress in implementing such protocol.

Victims of Crime Assistance Grants (CFDA # 16.575): The purpose of the Victims of Crime Act (VOCA) is to provide high quality services that directly improve the health and well being of victims of crime with priority given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims. Tennessee must allocate a minimum of 10% to each of the four priority areas each fiscal year. (See VOCA [Appendix A](#) -Legislative Authority)

For the purpose of these Programs Guidelines, services are defined as those efforts that:

1. respond to the emotional and physical needs of crime victims;
2. assist primary and secondary victims of crime to stabilize their lives after victimization;

3. assist victims to understand and participate in the criminal justice system, provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.

A program is considered eligible under VOCA if it:

- is operated by a public agency or a nonprofit organization, or a combination of such agencies or organizations or both such agencies and organizations, and provides services to victims of crime;
- Demonstrates a record of providing effective services to victims of crime and substantial financial support from nonfederal sources;
- Utilizes volunteers in providing such services, unless and to the extent the chief executive determines that compelling reasons exist to waive this requirement;
- Promotes within the community served coordinated public and private efforts to aid crime victims, and
- Assists potential recipients in seeking crime victim compensation benefits.

Residential Substance Abuse Treatment for State Prisoners Grants (CFDA # 16.593):

The Violent Crime Control and Law Enforcement Act of 1994 establishes a program of federal grants administered by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. This program, known as Residential Substance Abuse Treatment for State Prisoners (RSAT), assists states and units of local government in developing and implementing residential substance abuse treatment programs within State and local correctional and detention facilities.

(See [RSAT Appendix A](#) -Legislative Authority)

Circulars and Common Rules

This guide is not intended to replace more detailed technical assistance available from the staff of OCJP. Subrecipient staff is encouraged to address questions or concerns regarding the subject matter in this guide or other issues to OCJP staff. (See OCJP [Appendix A](#) – Fact Sheet)

This Guide incorporates by reference the provisions of the Office of Management and Budget (OMB) circulars and government-wide common rules applicable to grants and cooperative agreements. These circulars and common rules include the following:

Reference: U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide. Web address: <http://www.ojp.usdoj.gov/FinGuide/>

OMB CIRCULARS:

Administrative Requirements:	
OMB Circular A-102	"Grants and Cooperative Agreements with State and Local Governments".
OMB Circular A-110	"Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations" (codified at 28 CFR Part 70).
Cost Principles:	
OMB Circular A-21	"Cost Principles for Educational Institutions," (codified at 28

	CFR Part 66, by reference).
OMB Circular A-87	"Cost Principles for State, Local, and Indian Tribal Governments," (codified at 28 CFR Part 66, by reference).
OMB Circular A-122	"Cost Principles for Nonprofit Organizations" (codified at 28 CFR Part 66, by reference)
Audit Requirements:	
OMB Circular A-133	"Audits of States, Local Governments and Nonprofit Institutions," (codified at CFR Part 66 & Part 70).

GOVERNMENT-WIDE COMMON RULES:

"Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Units of Governments," (codified at 28 CFR Part 66). (Grants Management Common Rule for State and Local Units of Governments).

"Government-wide Debarment and Suspension (Non-procurement)" (codified at 28 CFR Part 67) and "Government-wide Requirements for Drug-free Workplace (Grants)" (codified at 28 CFR Part 83).

"New Restrictions on Lobbying" (codified at 28 CFR Part 69).

For additional information on grants management and to obtain copies of current circulars, please visit the OMB website at: www.whitehouse.gov/OMB/grants/index.html.

Reference: U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide Web Address: <http://www.ojp.usdoj.gov/finguide/>

Tennessee Comptroller of the Treasury, Division of Municipal Audit, Accounting and Financial Reporting for Not-For-Profit Recipients of Grant Funds in Tennessee
WebAddress: <http://www.comptroller.state.tn.us/ma/finreptmanual.htm>

CHAPTER I

PREAWARD REQUIREMENTS

A. APPLICATION PROCESS

The Office of Criminal Justice Programs (OCJP) application announcement routinely occurs each State fiscal year usually in the spring (March, April).

B. ELIGIBILITY REQUIREMENTS

For a detailed description of Grant Specific eligibility requirements please proceed to the following guides.

[BYRNE/JAG](#) (Grant Specific BYRNE/JAG Chapter I)

[FAMILY VIOLENCE SHELTERS](#) (Grant Specific FVS Chapter I)

[STOP](#) (Grant Specific STOP Chapter I)

[VOCA](#) (Grant Specific VOCA Chapter I)

[RSAT](#) (Grant Specific RSAT Chapter I)

C. SUBRECIPIENT APPLICATION ANNOUNCEMENT

Informational meetings may be scheduled by OCJP to disseminate information about the application process. Announcements of meetings are mailed approximately 30 **calendar** days in advance and meeting places will be located across the state to allow potential subrecipients an opportunity to ask questions, receive technical assistance, and receive an application packet. Potential subrecipients unable to attend an informational meeting may request an application packet by mail.

D. CERTIFIED ASSURANCES

The OCJP application consists of narrative application and budget and must include the following federal assurances:

1. **Non-Discrimination Requirements:** The potential subrecipient must assure and certify that they comply with all applicable civil rights non-discrimination requirements as set forth in the application packet. In the event that a Federal or State court or Federal or State Administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, national origin, sex or disability against a subrecipient, a copy of such findings must be forwarded to the office for Civil Rights, Office of Justice Programs.

2. **Application Review:** The OCJP shall obtain credit reports on any applicant where there is reason to believe that performance is substandard or there is evidence of financial irregularities.
3. **Federal Debt (OMB Circular A-129):** OCJP holds subrecipients accountable for any overpayment, audit disallowance, or any other breach of award that results in a debt owed to F&A/OCJP involving Federal Grant money. The Federal Debt Collection Act of 1996 states that if, after written notification, grantee payments continue to be delinquent, the debt will be referred to a collection agency for further action. The State shall apply interest, penalties, and administrative costs to a delinquent debt owed by a debtor pursuant to State requirements and the Federal Claims Collection Standards and [OMB Circular A-129](#).
4. **Debarment and Suspension Certification:** This certification must be submitted with any grant application. This government-wide common rule for debarment and suspension provides guidance or requirements that subrecipients shall meet in order to receive Federal funds.
5. **Drug-Free Workplace Certification:** This certification must be submitted with any grant application. The government-wide common rule for debarment and suspension and drug-free workplace, 28 CFR Part 67 provides guidance on requirements that subrecipients shall meet in order to receive Federal funds or, in the case of a recipient who is an individual, certify to the agency that his or her conduct of award activity will be drug-free. If a subrecipient makes a false certification, the subrecipient is subject to suspension, termination, and debarment.

Sub Part F of 28 CFR part 67 implements the statutory requirements of the Drug-Free Workplace Act of 1989. All subrecipients receiving awards from any federal agency's shall certify to that agency that they will maintain a drug-free work place.

- a. OCJP shall submit a drug-free workplace certification to the Bureau of Justice Assistance and shall be responsible for obtaining a drug-free workplace certification from each State agency that is sub-awarded funds. Subrecipients who are not State agencies are not required to submit a drug-free workplace certification.
- b. There are two different certifications: one for individuals and one for organizations. The individual subrecipient certifies that he or she will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in conducting any activity with the award. The organizational subrecipient certifies that it will provide a drug-free workplace by:
 - (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the recipient's workplace and specifically the actions that will be taken against employees for violation of such prohibition.

- (2) Establishing a drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The subrecipient's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace
- (3) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the employer's statement about drugs in the workplace.
- (4) Notifying the employee that, as a condition of employment under the award, the employee will:
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer of any criminal statute conviction for a violation occurring in the workplace not later than five **business** days after such a conviction.
- (5) Notifying OCJP within ten **business** days after receiving notice from an employee or otherwise receiving actual notice of such conviction.
- (6) Taking one of the following actions, within 30 **business** days of receiving notice, with respect to any employee who is so convicted:
 - (a) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- (7) Making a good faith effort to continue to maintain a drug-free workplace.

To summarize, the drug-free workplace common rule requires that **ONLY** direct recipients of Federal awards certify they will comply with the drug-free workplace common rule. There is no dollar threshold for certification.

6. **Lobbying Certification:** This certification must be submitted with any grant application. The Department of Justice's (DOJ) codification of the government-wide common rule for restrictions on lobbying, 28 CFR Part 69, provides guidance on requirements that recipients shall meet in order to receive Federal funds.

The following restrictions on lobbying are applicable to all subrecipients (in addition to the restrictions imposed by recent revisions to 18 U.S.C. Sec 1913). Interim Final Guidance for New Restrictions on Lobbying was published in the Federal Register in December 1989. The Lobbying Disclosure Act of 1995 included amendments that have an impact on the guidance provided in 1989. Per 31 USC §1352, the restrictions on lobbying are as follows:

- a. No federally-appropriated funds may be expended by the recipient of a Federal award, cooperative agreement, or contract to pay a person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, or cooperative agreement.
- b. Each person who requests or receives from an agency an initial Federal contract, award, or cooperative agreement (including subcontracts, subawards, and contracts under cooperative agreements) exceeding \$100,000 shall file with that agency a certification regarding lobbying. The certification shall be submitted to the agency making the award. Each person is certifying that:
 - (1) They have not made, and will not make, any payment for a lobbying activity.
 - (2) If any non-Federal funds have been paid or will be paid to any person, they will complete and submit a "Disclosure of Lobbying Activities" form (Disclosure Form).
 - (3) The language of this certification will be included in their award documents for all subawards at all tiers (including subcontracts, subawards and contracts under awards, and cooperative agreements), and all subrecipients shall certify and disclose accordingly.
 - (4) Each person, if applicable, shall submit the Disclosure Form to the agency making their award. The subrecipient is responsible for reporting lobbying activities of its employees if the employee's tenure is less than 130 working days within one

year immediately preceding the date of the subrecipient's application or proposal submission.

- (5) A subrecipient, who requests or receives Federal funds exceeding \$100,000, shall be required to file with the agency making their award a certification and a Disclosure Form, if applicable. All certifications shall be maintained by the agency making the award and all Disclosure Forms shall be forwarded from tier to tier until received by the Federal agency making the award. That agency shall forward all Disclosure Forms to the awarding agency. The Disclosure Form shall contain the following information:
 - (a) Name and address of reporting entity;
 - (b) Federal program name;
 - (c) Federal award number;
 - (d) Federal award amount; and
 - (e) Name and address of lobbying registrant.
- c. The above requirements DO NOT apply to Federally recognized Indian tribes or tribal organizations, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.
- d. Each person shall file a Disclosure Form at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any Disclosure Form previously filed by such persons. Examples of such events are:
 - (1) A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action;
 - (2) A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or
 - (3) A change in the officer(s), employee(s), or member(s) contacted to influence or attempt to influence a covered Federal action.
- e. Penalties and enforcement of lobbying restrictions shall be as follows:
 - (1) Any person who makes an expenditure prohibited by the New Restrictions on Lobbying shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.
 - (2) Any person who fails to file or amend the Disclosure Form to be filed or amended, if required, shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

To summarize, the common rule for lobbying requires certification that subrecipients certify they will comply with the lobbying common rule. The requirement is only for awards made exceeding \$100,000.

To comply with the certification requirements provided in the common rules for lobbying, drug-free workplace, and suspension and debarment (so the subrecipients do not have to sign three certifications), they have been combined into OJP Form 4061/6, entitled "Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements."

7. **Equal Employment Opportunity Plan (EEOP) Certification:** This certification must be submitted with any grant application. The government-wide common rule for equal opportunity workplace, 28 CFR Part 42.207 and 42.301 provides guidance on requirements that subrecipients shall meet in order to receive Federal funds or, in the case of a recipient who is an individual, certify to OCJP that his or her conduct of award activity will be delivered in an equitable manner to all segments of the service population. This shall include meaningful access for people with limited English proficiency as required by Title VI of the Civil Rights Act. If a subrecipient makes a false certification, the subrecipient is subject to suspension, termination, and debarment.
 - a. OCJP shall be responsible for obtaining an EEOP certification from each sub-recipient agency.
 - b. Sub-recipient agencies:
 - (1) certify that the agency will maintain data to ensure that services are provided in an equitable manner to all segments of the service population and
 - (2) certify an EEOP, if required to be written, must be kept on file and submitted to the Department of Justice. (See [OCJP Appendix F](#))
 - a. Agencies whose certification require that an EEOP be on file with the Department of Justice shall forward said copy to Department of Justice, Office of Civil Rights within 45 days of the award.
 - b. certify that the person in this agency or unit of government who is responsible for reporting formal and informal civil rights complaints and/or findings of discrimination will submit these complaints and/or findings, if any, to the Tennessee Office of Criminal Justice Programs within the Department of Finance and Administration within 45 days of the finding, and/or if the finding occurred prior to the grant award beginning date, within 45 days of the grant award beginning date.

- (3) certify that Services to Limited-English-Proficient (LEP) Persons comply with Title VI of the Civil Rights Act and the Omnibus Crime Control and Safe Streets Act.
- a. Subrecipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs.
 - b. Meaningful access may entail providing language assistance services, including interpretation and translation services, where necessary.
 - c. Subrecipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities.
 - d. Subrecipients must document their process to provide meaningful access for LEP persons.
 - e. Resources available for meaningful access are in [Appendix O](#) and <http://lep.gov/ocr/lep.htm>

To summarize, 28 CFR 42.207 and 42.301 requires that ALL recipients of Federal awards, either direct or in-direct, certify they will comply with EEOP requirements. There is no dollar threshold for certification. For assistance in developing an EEOP refer to <http://www.ojp.usdoj.gov/ocr/seven.htm> .

E. POLICY ON MAKING AWARDS

OCJP will not make an award to any applicant who has an overdue audit or an open audit report where the subrecipient has not attempted to respond or has taken no action to resolve findings. Every applicant for funding is on notice that, unless they are in compliance with the audit requirements, their application may be rejected.

F. AWARD/CONTRACT DOCUMENT

After completion of the review process subrecipients will receive notice of application outcome. If successful, the subrecipient will receive a grant agreement with all required attachments and special conditions for signature. The award agreement will include the following information:

- Award period
- Award number
- Amount of funding
- Special conditions, as appropriate

All correspondence/forms following a grant award notice should refer to the designated grant award number shown on the Grant Award document.

G. CONFLICT OF INTEREST

Personnel and other officials connected with agency-funded programs shall adhere to the following requirements:

1. **Advice:** No official or employee of a State or unit of local government or a non-governmental subrecipient shall participate personally through decisions, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, award, cooperative agreement, claim, controversy, or other particular matter in which award funds (including program income or other funds generated by Federally-funded activities) are used, where to his/her knowledge, he/she or his/her immediate family, partners, organization other than a public agency in which he/she is serving as an officer, director, trustee, partner, or employee, or any person or organization with whom he/she is negotiating or has any arrangement concerning prospective employment has a financial interest or less than an arms-length transaction.
2. **Appearance:** In the use of agency project funds, officials or employees of State or local units of government and non-governmental subrecipients shall avoid any action that might result in, or create the appearance of:
 - a. Using his or her official position for private gain;
 - b. Giving preferential treatment to any person;
 - c. Losing complete independence or impartiality;
 - d. Making an official decision outside official channels; or
 - e. Affecting adversely the confidence of the public in the integrity of the government or the program.

For example, where a recipient of federal funds makes sub-awards under any competitive process and an actual conflict or an appearance of a conflict of interest exists, the person for whom the actual or apparent conflict of interest exists should recuse him- or herself not only from reviewing the application for which the conflict exists, but also from the evaluation of all competing applications.

CHAPTER II

ACHIEVEMENT OF OPERATIONAL STATUS

The expectation for accepting an award from OCJP is that the subrecipient will have in place a system that is adequate for carrying out the administrative/financial, as well as the program aspects of the grant award. This includes good communication between the board of directors (if applicable), administrative/financial staff and the program staff. Management should pay particular attention to the budget and expenditure process of the grant award. The subrecipient management has put a great deal of thought into the purpose of the grant, therefore, everyone who works within the grant must be familiar with the fiscal and programmatic aspects of the manual(s) so that the program and funding are managed appropriately.

1. **Program and Fiscal Responsibilities:** The subrecipient must establish and maintain program records that assure **direct and subcontracted** project activities are in compliance with the approved project narrative. Such records must be readily available for review.
 - a. The subrecipient must establish and maintain fiscal controls and procedures that assure that federal and/or local funds available for the grant program are properly disbursed.
 - b. Funds awarded may be expended only for activities and purposes set forth in the approved project narrative and budget within the approved grant period. (The "grant period" is that period of time listed on the first page of the grant).
 - c. Grant funds must be obligated and expended prior to the termination date of the grant award period. Obligated funds are those funds for which goods or services have been encumbered, such as a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the begin date. These items or services must have been received and there must be an obligation to pay by the end date of the award period.
2. **Operational Timeline:** Each federally funded project not achieving operational status within sixty (60) days of the beginning date of the grant period listed in the grant must submit a letter to the Department of Finance and Administration, Office of Criminal Justice Programs describing steps taken to initiate the project, reasons for delay, and the projected operational date. If operational status is not achieved within ninety (90) days of the beginning date of the grant period, the subrecipient must submit a second letter explaining the additional delay in implementation. The Office of Criminal Justice Programs may, after reviewing the circumstances, can elect to cancel the project and redistribute funds.

3. **Project Director:** This is the individual who will be in direct operational charge of the project. **It is the responsibility of the Project Director to assure that the project is implemented as described in the project narrative and assume oversight responsibility for the direct and subcontracted services provided. The Project Director must assure that all grant requirements are documented and completed in the timelines specified in the OCJP Administrative Manual. The Project Director** should be a person who combines knowledge and experience in the project area with ability in administration and supervision of personnel. He/she shares responsibility with the financial office for seeing that all expenditures are within the approved budget and ensures that all reporting requirements are met. It is the responsibility of the Project Director to assure that any subrecipient personnel working within the grant-funded project receive copies of all information distributed from the Office of Criminal Justice Programs, to include a copy of the executed current contract. The individual selected as Project Director cannot be the same person who serves as Financial Director for the project. The Office of Criminal Justice Programs must be notified in writing within ten (10) days in the event of a change in Project Director.

The Project Director is responsible for ensuring that client files are maintained on each individual receiving direct or subcontracted services under this grant. If multiple funding sources support a single function (i.e. shelter), the Project Director must be able to delineate which funding source(s) support which service(s) the individual received. The file on each individual should minimally include identifying information about the individual served, services provided and dates of service(s).

4. **Financial Director:** This is the person who will be responsible for fiscal matters relating to the project and is ultimately in charge of accounting, management of funds, verification of expenditures, and grant financial reports (the Financial Director must be someone other than the Project Director, and their primary responsibility is in financial matters). The Office of Criminal Justice Programs must be notified in writing within ten (10) days in the event there is a change in Financial Director.
5. **Authorized Official:** The individual authorized to enter into binding commitments on behalf of the Implementing Agency. This is the person who will sign any contract between your organization and the state.
 - a. State and local government agencies, the authorized officials must be Mayors, City Managers, County Executives/Mayors, District Attorneys, or State Commissioners. The Office of Criminal Justice Programs must be notified in writing within ten (10) days in the event of a change in Authorized Official.
 - b. Non-profit agencies, the authorized official is the individual who will be signing the grant on behalf of the agency governing board. The grant is generally signed by the board chairperson, thus making the board of directors or governing board financially liable for the service program described in the legal agreement. The governing board is a

board of directors whose main function is to establish policies and procedures, adopt rules, regulations and by-laws consistent with the purposes of the agency. In some instances, the board will delegate responsibility for signing the grant to the executive director. In the event the executive director signs the grant, this in no way relinquishes the board from their responsibilities. The Office of Criminal Justice Programs must be notified in writing within ten (10) days in the event there is a change in the Authorized Official or the Board Chair even if they were not the Authorized Official signing the grant contract. See OCJP [Appendix M](#)– Governing Board Responsibility.

6. **OCJP Notifications:** Subrecipients must provide written notification to OCJP within ten (10) days from the date of occurrence of any of the following:
- a. Any change of address for authorizing official, project director, or financial director for the grant-funded project
 - b. Any lawsuit filed by clients or employees of the implementing agency
 - c. Any cessation or interruption of implementation of project activities arising from litigation, loss of staff, or programmatic restructuring
 - d. Change in project site or location
 - e. Change in, or temporary absence of, project director or financial director
 - f. **Change in the name of the person responsible for reporting civil rights findings of discrimination**
 - g. Addition of supplies or equipment to project budget not previously identified
 - h. Change in scope of programmatic activities or purpose of project
 - i. Change in e-mail address of project director, financial director, authorized official or any personnel funded by this grant.
 - j. Change in grant funded personnel positions ie: Domestic Violence officers, Victim Witness Coordinators, Attorneys, etc.
 - k. Vacancies in all grant funded positions MUST be reported in writing (e- mail, fax, mail) to OCJP within 10 days of the vacancy. All grant funded vacant positions MUST be filled within 45 days of the vacancy. Failure to abide by this requirement may result in the agency losing the position(s) in question. If the position(s) is/are not filled within 45 days, the subrecipient must submit a letter to OCJP justifying the delay in filling the position and explaining how the program is

providing services while the position is vacant. **After 45 days OCJP must receive a monthly report of this information until the position is filled.**

Once the vacant position(s) is filled the subrecipient agency **MUST** notify OCJP in writing within **10** days of the following information as it pertains to the new employee(s):

- Position Title
- Name of Employee
- Date Hired
- Salary
- Percent of time allotted to the grant funded project
- Job Description

7. Confidentiality of Client Files: The identities of clients served in victim service agencies are to be protected. Subrecipients may not disclose any personally identifying information about victims served with state and /or federal funds unless there is a:

- Written release
- Court order
- Statutory requirement

The agency's confidentiality policy must encompass all clients contacting the agency for service, regardless of whether they ever receive services from the agency. No personally identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, sexual assault, or stalking, including :

- a first and last name
- a home or other physical address
- contact information (including a postal, e-mail or Internet protocol address, or telephone or fax number)
- a social security number; and
- any other information including date of birth, racial or ethnic background or religious affiliation, that in combination with any subparagraphs (1) through (5) would serve to identify any individual

CHAPTER III

FINANCIAL REQUIREMENTS

A. STANDARDS FOR FINANCIAL MANAGEMENT SYSTEMS

All grant subrecipients are required to establish and maintain grant accounting systems and Financial records to accurately account for funds awarded to them. ([OMB Circular A-87](#), "Cost Principles for State, Local and Indian Tribal Governments." [OMB Circular A-122](#), "Cost Principles for Nonprofit Organizations.")

1. **Accounting Systems:** These records shall include both Federal funds and all matching funds when applicable. Subrecipients shall expend and account for grant funds in accordance with State and local laws and procedures for expending and accounting for their own funds. State and local procedures must ensure compliance with the financial management standards found at 28 CFR Parts 66 and 70.
 - a. Each sub-recipient is responsible for establishing and maintaining an adequate system of accounting and internal controls. Each subrecipient is also responsible for ensuring that an adequate system exists for any subcontractors, when applicable.
 - b. An acceptable and adequate accounting system:
 - (1) Presents and classifies projected historical cost of the grant as required for budgetary evaluation purposes;
 - (2) Provides cost and property control to ensure optimal use of funds;
 - (3) Controls funds and other resources to assure that the expenditure of funds and use of property are in conformance with any general or special conditions that apply to the subrecipient;
 - (4) Meets the prescribed requirements for periodic financial reporting of operations; and
 - (5) Provides financial data for planning, control, measurement, and evaluation of direct and indirect costs.
2. **Accounting Systems Criteria:** The subrecipient is free to use any accounting system that the subrecipient has established if the system meets the following minimum criteria:
 - a. Receipts should be classified by the source of funding, i.e. – the name and number of the grant to which the costs will be charged. As a matter of convenience, subrecipients are encouraged to use the grant award number assigned to the project by the Office of Criminal Justice Programs, unless currently existing agency coding structures prevents this. If costs attributable to the grant program will include those from

sources other than the federal grant, such as match, donations, income earned by the project, or funds from other sources, this should be clearly noted on receipts.

- b. Expenditures should be classified by the budget categories included in the grant application. All expenditure documents, regardless of type, must include the assigned subgrant number. Non-federal matching funds required at the project level must be classified in these same categories.
 - c. Entries in the accounting records should refer to subsidiary records and/or documentation that supports the entry and which can be readily located.
 - d. Each grant should be accounted for separately. Each year of a continuation grant is regarded as coming from a separate fund source and should be accounted for as such. All project records should reflect the grant number listed on the award document. Subrecipients are prohibited from commingling funds on either a program-by-program basis or a project-by-project basis.
 - e. The accounting system must be such as to provide adequate information for the prompt and proper submission of semi-annual and annual financial reports.
 - f. The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.
 - g. The accounting system should include a system of property records for all equipment (see equipment section).
 - h. All required financial records shall be maintained for three years from the date of the final financial report or until all questions arising from audit have been resolved, **whichever is later.**
3. **Reporting Irregularities:** The recipient is responsible for promptly notifying OCJP, the Department of Justice, the Federal cognizant audit agency, and the State of Tennessee Comptroller of any illegal acts or irregularities and of proposed and actual actions, if any. Please notify the Office of the Comptroller Customer Services Center at 1-800-458-0786 and the State of Tennessee Comptroller Hotline at 1-800-232-5454 if any irregularities occur illegal acts include:
- a. Conflicts of interest
 - b. Falsification of records or reports
 - c. Misappropriation of funds or other assets

4. **Commingling of Funds:** The accounting systems of all subrecipients must ensure that:
 - a. Agency funds are not commingled with funds from other Federal agencies.
 - b. Commingling funds on either a program-by-program basis or project-by-project basis are prohibited.
 - c. Funds specifically budgeted and/or received for one project may not be used to support another. The subrecipient must establish a system to provide adequate fund accountability for each project.
5. **Supplanting of Funds:** Federal funds must be used to supplement existing funds for program activities and not replace those funds, which have been appropriated for the same purpose. Potential supplanting will be the subject of application review, as well as pre-award review, post-award monitoring, and audit. If there is a potential presence of supplanting, the subrecipient will be required to supply documentation demonstrating that the reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.
6. **Match Requirements:** Federal Grant funds may be used to pay the pre- set percentage of the cost of a project. (see chart below) *The remaining non-federal share must be in cash or in-kind from non-federal funds.* Funds may be used to implement new projects or enhance existing projects. Funds required to pay the non-federal portion of the cost of each project must be in addition to funds that would otherwise be available for the project.

A	B	C	D
FUND	TYPE	FEDERAL REIMBURSEMENT RATE	MATCH PERCENTAGE
BYRNE/JAG	Cash	75%	25%
FVS	Cash or in-kind	65% first year/80% thereafter	35% first year/20% thereafter
STOP	Cash or in-kind	75%	25%
VOCA	Cash or in-kind	80%	20%
RSAT	Cash	75%	25%

The formula to be used in calculating match and total cost requirements is:

Federal Funds divided by Federal Reimbursement Rate = TOTAL Cost
 TOTAL Cost multiplied by Match Percentage =TOTAL Match Amount

- a. Funds may be used to implement new projects or enhance existing projects.
- b. Funds required to pay the non-federal portion of the cost of each project for which a grant is made must be in addition to funds that would otherwise be available for the project.

- c. Cash match (hard) includes actual cash spent by the subrecipient for related costs and may be applied from the following sources:
 - (1) Funds from State and local units of government that have a binding commitment of matching funds for programs or projects.
 - (2) Funds contributed from private sources.
 - (3) Program income and the related interest earned on that program income generated from projects may be used as match provided it is identified and approved prior to making an award.
 - (4) Funds appropriated by Congress for the activities of any agency of a Tribal government or the Bureau of Indian Affairs performing law enforcement functions of Tribal lands may be used as matching funds.
 - (5) Otherwise authorized by law.
- d. In-kind match may include:
 - (1) Donations of expendable equipment
 - (2) Office supplies
 - (3) Workshop or classroom materials
 - (4) Work space
 - (5) Monetary value of time contributed by professional and technical personnel and other skilled and unskilled labor if the services they provide are an integral and necessary part of a funded project.
 - (a) The value placed on donated services must be consistent with the rate of compensation paid for similar work in the organization or the labor market.
 - (b) Fringe benefits may be included in the valuation.
 - (c) Volunteer services must be documented, and supported by the same methods used by the recipient organization for its own employees.
 - (d) The value of donated space may not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately owned building in the same locality.

The basis for determining the value of personal services, materials, equipment and space must be documented.

Each subrecipient organization must utilize a tracking system which clearly shows the source and use of these matching funds, as well as the period during which the funds were utilized in direct support of the project.

7. **Payment Method:** Currently OCJP utilizes either the Journal Voucher process or the Invoice for Reimbursement process as methods of payment:

- a. **Journal Vouchers:** This method of payment is used for grants funded to State agencies. This payment method reimburses the subrecipient based upon actual costs incurred by the subrecipient in carrying out the activity of the grant. As the subrecipient incurs costs, those costs are conveyed to the funding source (OCJP) following the State of Tennessee Journal Voucher method described below. Following Journal Voucher processing, deposits (reimbursement) via the recognition of revenue are made to the account of the state subrecipient.

Type J – The manual Type J journal voucher is explained in detail by the Department of Finance and Administration Policy Statement Number 18 detailed in the State of Tennessee Administrative Policies. In accordance with [Policy 18](#), Type J "Billings totaling \$2,500.01 through \$350,000.00 shall be billed at least monthly. Billings totaling more than \$350,000.00 shall submit a completed journal voucher within 5 working days after the expense/expenditure is incurred or the service is rendered." "Billing for less than \$2,500.00 should be held until cumulative billings for a quarter total \$2,500.00." "All billings however small shall be billed quarterly in the month following each quarter end (i.e. billed in October for the July through September quarter)." Type J Journal Vouchers should be submitted to Department of Finance and Administration, Office of Business and Finance, 20th Floor William R. Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, TN 37243. Once received, the Journal Voucher is then processed for payment through the Department of Finance & Administration Office of Business and Finance

- b. **Invoice for Reimbursement:** The invoice is used by non-state agencies to request monthly reimbursement for expenditures incurred by the subrecipient. Subrecipient agencies should invoice monthly, based on expenditures incurred but all subrecipient agencies must request reimbursement at least once per quarter. Funds will be distributed to subrecipients upon receipt of a properly prepared and signed invoice. Funds cannot be disbursed based on budgeted amounts. The expense must have actually occurred before the line item reimbursement can be made. (Please see [OCJP Appendix I](#) for the Invoice Reimbursement Form and Detailed Instructions.) There are two options available for submitting the monthly Invoice for Reimbursement Form, (1) mailing in the paper form, or (2) submitting the form electronically – by e-mail (or diskette if the subrecipient does not have e-mail). Faxed invoices will no longer be accepted. Monthly invoices should be submitted to OCJP INVOICE, Department of Finance and Administration, Office of Business and Finance, 20th floor William R. Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, TN 37243 OCJP INVOICE@state.tn.us. *

- c. **Accrued Liability:** A State of Tennessee accrued liability process occurs at the end of each state fiscal year (June 30th) and allows non-state agencies an opportunity to receive payment for documented, reimbursable expenses that have not been reimbursed by the State of Tennessee by the time the State's annual conversion period to the new fiscal year occurs. The state's annual conversion period begins approximately July 10th and continues approximately three weeks. During the conversion period, no payments can be made to state grant subrecipients. In preparation for this conversion period, all non-state agencies will receive a notification letter on/or before June 15th of each fiscal year detailing the proper procedures for fiscal year-end processing and payment of invoices. These procedures will include instructions to establish an accrued liability, if needed, by grant subrecipients. The accrued liability process must be followed, if needed, to ensure reimbursement for subrecipient expenses that are non-reimbursed prior to the year-end conversion period.
8. **Obligation of Funds:** An obligation occurs when funds are encumbered, such as a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the begin date and up to the last day of the grant period in the award. Any funds not properly obligated by the subrecipient within the grant award period will lapse and revert back to OCJP. The obligation deadline is the last day of the grant award period unless otherwise stipulated. (Example: If the award period is 7/01/07 to 6/30/08, the obligation deadline is 6/30/08.)

*** NOTE:** This is a link to the correct email for invoicing electronically. It is NOT a functioning email as written. IE: Typing OCJP INVOICE@state.tn.us in your email address box will NOT send your invoice electronically. Clicking this link will open an email window (automatically addressed to the appropriate person) that allows you to attach your invoice and submit it electronically.

CHAPTER IV

PROGRAM INCOME PROCEDURES

Program income may be used to supplement project costs or reduce project costs or may be refunded to the Federal government. Program income may only be used for allowable program costs. Unless specified by OCJP, program income should be used as earned and expended as soon as possible.

A. PROGRAM INCOME DEFINED

Program income, as described in 28CFR, Part 66.25, means gross income received by the subrecipient directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period. “During the grant period” is the time between the effective date of the award and the ending date of the award.

B. EXAMPLES

Examples of Program Income and Disposition Requirements and the Policies Governing the Disposition of the Various Types of Program Income

1. **Addition Method of Handling Program Income:** In the absence of other restrictions on disposition contained within the grant or the terms and conditions of the project, program income shall be added to the funds committed in the grant. The program income shall be used as earned by the subrecipient for any purpose that furthers the broad objectives of the legislation under which the grant was made (i.e., expanding the project or program, continuing the project or program that furthers the broad objectives of the State, obtaining equipment or other assets needed for the project or program, or for other activities that further the statute’s objectives).
2. **Sale of Property:** In the case of real property purchased in part with Federal funds, the subrecipient may be permitted to retain title upon compensating OCJP for its fair share of the property. The Federal share of the property shall be computed by applying the Grant specific percentage of the Federal participation in the total cost of the project for which the project was acquired to the current fair market value of the property.
3. **Royalties:** Subrecipients shall retain all royalties received from copyrights or other works developed under projects or from patents and inventions, unless the terms and conditions of the project provide otherwise, or a specific agreement governing such royalties has been negotiated between OCJP and the subrecipient.
4. **Attorney’s Fees and Costs:** Income received pursuant to a court-ordered award of attorney’s fees or costs, which is received subsequent to completion of the project, is program income to the extent that it represents a reimbursement for attorney’s fees and costs originally paid under the award. Disposition of such program income is subject to the restrictions on the use of program income set forth in the grant.

5. **Registration/Tuition Fees:** These types of program income shall be treated in accordance with disposition instructions set forth in the project's terms and conditions.
6. **Asset Seizures and Forfeitures:** Income received from the sale of seized and forfeited assets (personal or real property) or the seized and forfeited money shall follow the "Additional Method" of handling program income. The following policies apply to program income from asset seizures and forfeitures:
 - a. Program income, with the approval of the OCJP, may be retained by the entity earning the program income or used by OCJP for the purpose that furthers the objectives of the legislation under which the grant was made.
 - b. States or local units of government, MAY USE PROGRAM INCOME FUNDS FROM SEIZED AND FORFEITURE ASSETS AS MATCH, when assets are adjudicated by a State Court, in accordance with the State law. In addition, State and local units of government MAY use cash received under the equitable sharing program from the non-Federal portion (match) of program costs, as provided for in the guidelines established by the DOJ Asset Forfeiture Office, when the assets are adjudicated by a Federal Court.

NOTE: Fines as a result of law enforcement activities are not considered program income.

C. ACCOUNTING FOR PROGRAM INCOME

All income generated as a direct result of an agency-funded project shall be deemed program income. Program income must be used for the purposes and under the conditions applicable to the grant. Unless specified by OCJP, program income should be used as earned and expended as soon as possible. If the cost is allowable under the Federal grant program, then the cost would be allowable using program income. Current program income information for State and Local Government and Educational subrecipients should be reported on the Quarterly Program Income Summary Report. (See [OCJP Appendix L](#)). Current program income information should be reported by Non-profit agency subrecipients on the Policy 03 Tennessee Uniform Subrecipient Reporting For Non-profit Agencies. The program income amount, if any, is reported on line 39 of Schedule B. (See [OCJP Appendix J](#)). If there is no special condition on the grant concerning the accounting for program income after the funding period, then program income can be used at the discretion of the subrecipient.

NOTE: State and Local Government and Educational subrecipients who do not generate program income may submit this report form annually 30 days after the end of the fiscal year or end of the grant period.

CHAPTER V

AUDIT REQUIREMENTS

This chapter establishes responsibilities for the audit of organizations receiving Federal funds. The intent of this section is to identify the policies for determining the proper and effective use of public funds rather than prescribed procedures for the conduct of an audit. Subrecipients shall adhere to the audit requirements stated in the contract.

NOTE: Non-profit subrecipients should review audit requirements as specified in [Accounting and Financial Reporting for Not-For-Profit Recipients of Grant Funds in Tennessee](#) as well as [OMB Circular A-133](#) "Audits of State, Local Government and Nonprofit Institutions."

A. AUDIT OBJECTIVES

Awards are subject to conditions of fiscal, program, and general administration to which the subrecipient expressly agrees. Accordingly, the audit objective is to review the subrecipient's administration of funds and required non-Federal contributions for the purpose of determining whether the subrecipient has:

1. Established an accounting system integrated with adequate internal fiscal and management controls to provide full accountability for revenues, expenditures, assets, and liabilities. This system should provide reasonable assurance that the organization is managing Federal financial assistance programs in compliance with applicable laws and regulations.
2. Prepared financial statements which are presented fairly, in accordance with generally accepted accounting principles.
3. Submitted financial reports which contain accurate and reliable financial data, and are presented in accordance with the terms of applicable agreements.
4. Expended Federal funds in accordance with the terms of the contract and those provisions of Federal law or regulations that could have a material effect on the financial statements or on the awards tested.

B. AUDIT REPORTING REQUIREMENTS

Independent auditors should follow the requirements prescribed in OMB Circular A-133. If the auditor becomes aware of illegal acts or other irregularities, prompt notice shall be given to subrecipient management officials above the level of involvement. The subrecipient, in turn, shall promptly notify OCJP of the illegal acts or irregularities proposed and actual actions, if any. All subrecipient personnel have the responsibility to inform the Tennessee Comptroller Of the Treasury and State and local law enforcement agencies or prosecuting authorities, as appropriate, of any known violations of the law within their area of jurisdiction.

Audit costs for audits not required or performed in accordance with OMB A-133 are unallowable. If the subrecipient did not expend \$500,000 or more in Federal funds in its fiscal year, but contracted with a certified public accountant to perform an audit; these costs may not be charged to the grant.

C. FAILURE TO COMPLY

Failure to have audits performed as required may result in the withholding of new awards and/or withholding of funds or change in the method of payment on active grants.

D. AUDIT THRESHOLD

1. Non-Federal entities that expend \$500,000 or more in Federal funds (from all sources including pass through subawards) in the organization fiscal year (12 month turnaround reporting period) shall have a single organization wide audit conducted in accordance with the provisions of OMB Circular A-133.
2. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year. Records must be available for review or audit by appropriate officials including the Federal agency.

E. DUE DATES FOR AUDIT REPORTS

Audits are due (9) months after the close of the fiscal year.

F. RESOLUTION OF AUDIT REPORTS

Timely action on recommendations by responsible management officials is an integral part of the effectiveness of an audit. Each subrecipient shall have policies and procedures for responding to audit recommendations by designating officials responsible for:

1. Follow-up;
2. Maintaining a record of the action taken on recommendations and time schedules for completing corrective action;
3. Implementing audit recommendations;
4. Submitting periodic reports to OCJP on recommendations and actions taken.

G. DISTRIBUTION OF AUDIT REPORTS

The submission of audit reports for all subrecipients shall be as follows:

1. OCJP
2. Tennessee Comptroller of the Treasury
3. Commissioner of Finance and Administration

OCJP monitors the audit requirements through its audit tracking system and is responsible for tracking audit reports received through the audit process until resolved and closed.

CHAPTER VI

PERSONNEL POLICIES AND PROCEDURES

Agency records and accounting systems must include the following components for personnel approved in the project's budget:

A. PERSONNEL POLICIES AND PROCEDURE

1. The subrecipient must have written personnel policies and procedures with regard to:

- a. Work hours
- b. Holidays, vacations, sick leave, and other leave time
- c. Overtime pay and compensatory time
- d. Termination
- e. Qualifications
- f. Written job descriptions
- g. Training Received
- h. Supervision of Staff
- i. Screening of staff to ensure that children and vulnerable adults are protected. Possible Background Checks could include the following:
 - Sex Offender Registry (TBI Website)
 - Criminal History Check
 - Driving Record Check (if transporting clients)
 - Proof of Liability Insurance (if transporting clients)
- j. **Verification of employee's references.**

Project officials must ensure that employees working on the grant-funded project are not receiving duplicate compensation (i.e., being paid with the grant funds while receiving a salary for the same periods from another source).

Overtime pay must be authorized in the approved budget, or prior written approval must be obtained from OCJP before any overtime is worked. Salary supplements or bonuses, including severance provisions, to subrecipients may not be paid with federal funds without prior OCJP written approval. Personnel working for more than one project must have sufficient records to show an accurate accounting of each project which have hours recorded to them. This can usually be accomplished by having personnel keep a detailed log of their activities for each project. Time sheets must accurately reflect hours spent working in separate programs.

2. **Personnel Costs:** Time and Attendance Records – Accurate time and attendance records are required to be maintained for all personnel **whose** salary is charged to the project. These records should minimally contain the following information:

- a. Date (day, month and year)
- b. Employee's name
- c. Position title
- d. Total daily hours charged to the project
- e. Employee's signature
- f. Project director's or supervisor's signature
- g. Grant number

The subrecipient may use any form that provides the above information.

3. **Personnel Qualifications:** The narrative section of the grant application includes job descriptions determined by the subrecipient agency which establish the qualifications for each position. If an employee does not meet agency established personnel qualifications, a waiver must be requested from the Office of Criminal Justice Programs. The Office of Criminal Justice Programs must approve prior to employment any staff employee not meeting these requirements. A written waiver of personnel qualifications must be requested prior to the employee's employment. The written request for the waiver must explain the reason(s) for employing a staff person who does not meet the personnel qualifications. If approved, a copy of the request for waiver must be maintained in the employee's personnel file. The waiver request will approve the period of the individual's employment in the position and is applicable to that individual only.

To satisfy the requirement that staff are qualified for the positions in which they are employed it is necessary that the agency obtain verification of education prior to employment and/or training. Resumes of former work experience and references for new employees are strongly recommended.

4. **Personnel File Requirements:** Agencies are required to maintain personnel files for all staff employed by grant monies or volunteers associated with this grant. These records should minimally contain the following information:
 - a. **Documentation of verified** character/employment references
 - b. An agency application
 - c. A signed release of information
 - d. Job description
 - e. Documentation of training/certification received such as the topic, presenter, length of training, dates.
 - f. Documentation of minimum qualifications
 - g. Documentation of background checks

For RSAT specific personnel requirements see [RSAT Chapter IV](#).

For specific volunteer requirements for VOCA see [VOCA Chapter II](#).

CHAPTER VII

REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting on their projects to OCJP. The following are required generic reports.

A. POLICY 03

Policy 03 Quarterly Expense and Revenue Report: (Non-profit Agencies Only)

This report consists of the Program Expense Report (Schedule A), the Program Revenue Report (Schedule B), and the Final Program Expense Summary Page (Schedule C). Schedule A is used for submitting detailed and total expense budgets and for detailed and total expense reports. Scheduled B is used for submitting revenue budgets and for revenue reports by source with reconciliation between total expense and reimbursable expenses. Program Income, if any, is reported on line 39 of Schedule B. Schedule C is intended to recap all direct expenses in one column, as well as determine a grand total of all expenses. Policy 03 Quarterly Expense and Revenue Reports are due no later than **thirty (30)** days following the end of the quarter for which the report is completed. These reports are sent to the Fiscal Manager at OCJP (See OCJP [Appendix J](#) Policy 03).

NOTE: Non-Profit subrecipients should review reporting requirements as specified in *Accounting and Financial Reporting for Not-For-Profit Recipients of Grant Funds in Tennessee*.

B. JOURNAL VOUCHERS

State of Tennessee Journal Vouchers: (State Agencies Only)

This method of payment is used for grants funded to State agencies. This payment method reimburses the subrecipient based upon actual costs incurred by the subrecipient in carrying out the activity of the grant. As the subrecipient incurs costs, those costs are conveyed to the funding source (OCJP) following the State of Tennessee Journal Voucher method described below. Following Journal Voucher processing, deposits (reimbursement) via the recognition of revenue are made to the account of the state subrecipient.

Type J – The manual Type J journal voucher is explained in detail by the Department of Finance and Administration Policy Statement Number 18 detailed in the State of Tennessee Administrative Policies. In accordance with Policy 18, Type J "Billings totaling \$2,500.01 through \$350,000.00 shall be billed at least monthly. Billings totaling more than \$350,000.00 shall be journal vouchered within 5 working days after the expense/expenditure is incurred or the service is rendered." "Billing for less than \$2,500.00 should be held until cumulative billings for a quarter total \$2,500.00." "All billings however small shall be billed quarterly in the month following each quarter end (i.e. billed in October for the July through September quarter)." Type J Journal Vouchers should be submitted to Department of Finance and Administration, Office of Business and Finance, 20th floor William R. Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, TN 37243. Once received, the Journal Voucher is

then processed for payment through the Department of Finance & Administration Office of Business and Finance.

For additional information please see: <http://www.state.tn.us/finance/act/policy18.pdf>

C. INVOICE FOR REIMBURSEMENT

Tennessee Department of Finance & Administration Invoice for Reimbursement (Non-profit, Local Government, and Universities Only)

The Invoice for Reimbursement is used to request monthly reimbursement for line-item expenditures incurred by the subrecipient. Expenditures, which are allowable according to the appropriate OCJP Administrative Guide, may be disbursed upon receipt of a properly prepared and invoice signed invoice. Funds cannot be disbursed based on budgeted amounts. The expense must have actually occurred before line-item reimbursement can be made. Monthly invoices should be submitted to: OCJP Invoice, Department of Finance and Administration, Office of Business and Finance, 20th floor William R. Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, TN 37243-1700 OCJP_INVOICE@state.tn.us. (See OCJP [Appendix I](#), Invoice for Reimbursement).

NOTE: Subrecipient agencies must request reimbursement at least once per quarter based on expenditures incurred. However, it is recommended that agencies invoice monthly, when monthly expenditures are incurred.

D. PROJECT EQUIPMENT SUMMARY REPORT

This report is completed on an annual basis, if equipment is purchased with grant funds during the current fiscal year. It is due to OCJP no later than thirty (30) days past the end of the State fiscal year or July 31st. For new projects, the Project Equipment Summary Report should list new or start-up equipment purchases. For multi-year projects, the Project Equipment Report should specifically identify any purchases that have been made for equipment, either totally or in part with grant money, since the last fiscal year.

(See [OCJP Appendix K](#) -Project Equipment Summary Report)

E. OCJP QUARTERLY INCOME SUMMARY REPORT

(State and Local Government and Universities Only)

This report form is completed on a quarterly basis if program income is generated as a direct result of an agency-funded activity. It is due thirty (30) days after the close of each State fiscal year quarter, (July 1 – September 30), (October 1 – December 31), (January 1 – March 31), (April 1, - June 30). All income generated as a direct result of an agency funded project shall be deemed program income and reported via the use of this form. If no program income is generated, this form may be submitted annually 30 days after the end of the fiscal year or end of the grant period. (See [OCJP Appendix L](#) -Quarterly Program Income Report)

Information on reporting requirements and reporting forms for specific grants can be located at the following links:

[Byrne/JAG Grant](#)

See Byrne/JAG Appendix B

[Family Violence Shelter and Shelter Services](#)

See FVS Appendix B

[Governor's Initiative on METH](#)

See METH Appendix A

[STOP – Violence Against Women](#)

See STOP Appendix B

[Victims of Crime Assistance \(VOCA\)](#)

See VOCA Appendix B

[Residential Substance Abuse Treatment \(RSAT\)](#)

See RSAT Appendix B

CHAPTER VIII

SUPPLIES AND OPERATING EXPENSES

A. PURCHASING PROCEDURES

Purchasing procedures establish the authority and mechanics required in purchasing for the subrecipient's operation. The purpose is to establish guidelines and regulations governing the purchase of supplies, equipment, contractual services, and other items, to ensure that funds are expended in accordance with an approved budget and management's wishes, with consideration of the availability of funds to pay for such purchases, and in compliance with contractual provisions and relevant laws and regulations.

Written purchasing policies and procedures must encompass, but are not limited to, the following items and policies.

1. **Initiation of Purchase:** Any staff member authorized by the Project Director or designee may initiate a purchase. When a purchase is initiated, a standard requisition, or a memorandum describing the type of item and quantity desired, is prepared and signed by the staff member initiating purchase.
2. **Authorization of Purchase:** Staff members must make direct purchases of items when the total cost does not exceed a prescribed limit. When items may cost more than the prescribed limit, the Project Director or designee must give advance approval of the acquisition. All requisitions, regardless of amount, should be submitted to the Project Director or designee. Orders totaling less than the prescribed limit may be submitted after the order is placed.
3. **Qualification of Vendor:** All vendors providing supplies, equipment, or services should be reputable firms having demonstrated capacity to produce or provide supplies, equipment, services, and other items within a reasonable time or within specific time limits established by the purchaser. **Vendors should be subject to disqualification if they misrepresent quality, quantity, or price of what is being purchased. Vendors that exceed reasonable time limits should also be disqualified.**
4. **Selection of Vendors:** Whenever possible, select vendors on the basis of three price quotations or competitive bids. Secure competitive bids for all items exceeding a prescribed limit in unit cost and for aggregate orders exceeding a prescribed limit. Solicit price quotations from qualified vendors for items for which unit costs exceed a prescribed limit. Under certain circumstances supplies, equipment, services, or other items may be purchased without bids or quotations. Quotations may not be necessary if a qualified vendor is the sole source of the items to be purchased, or, in case of emergency, when immediate delivery is necessary for the entity's continued provision of adequate services.

All sole-source purchases should be reviewed by the Project Director or designee. In any event, the Project Director should be apprised of any sole-source purchase as soon as possible. A written memorandum explaining all emergency purchases and all other sole-source purchases exceeding an amount determined by management should be attached to the file copy of the purchase order.

5. **Purchase Orders:** Make all purchase orders (except when specific exceptions are permitted) by submitting consecutively numbered purchase order forms to vendors. The exceptions include contracts for professional services where the contracts serve as detailed documentation), bills for utilities and office rental, and emergency telephone orders. Prepare requisitions or memorandums for emergency orders, travel claims, books, subscriptions, postage, proprietary fees and permits, and similar expenses. They should be approved in advance by the Project Director or designee. After approval, the telephone order or emergency purchase should be made by a person authorized by the Project Director to make emergency telephone orders or purchases.

Complete all purchase orders in triplicate. They must include the date, vendor name, type, quantity, price of supplies and equipment, and other items to be purchased. A staff member officially designated to sign purchase orders should sign each order and submit the original to the vendor. File the first copy numerically; is constitutes an official authorization for disbursement after the order has been satisfactorily filled.

- a. Receipt of supplies and equipment should be certified by a staff member who has been assigned responsibility for receipt of all purchased items. Deliveries should be compared against the second copy of the purchase order and packing slip or invoice and should be examined for conformance to specifications in the order. The packing slip or invoice and the second copy of the purchase order should be signed if the delivery conforms to the purchase order. (If the invoice does not accompany the delivery of goods, the signed packing slip should be compared to the invoice prior to the invoice being approved for payment.) The invoice, requisition, and second copy of the purchase order should be filed in invoice date order, alphabetically by vendor name.
- b. Match billings with the signed invoice, purchase order or requisition. Examine the billing to ensure that the amount requested for payment matches cost, types, and quantities shown on the signed invoice(s).
- c. The Project Director or designee should review the invoice, purchase order, requisition, and billing, and certify as to qualification for payment. No invoice or bill should be paid without such certification.
- d. Purchase orders are not required for utility services (telephone, gas, electricity) or for rental payments. Bills for these services should be reviewed by the appropriate official and paid in accordance with standard procedures for disbursement of funds. However, retain copies of all bills received for rent and utilities and file them chronologically, by vendor, or by expense category for no less than three years.

6. **Disbursement of Funds:** Upon proper certification of invoices and bills, make disbursements in accordance with standard grant procedures for the issuance of checks and vouchers.

B. SUPPORTING DOCUMENTATION

Present supporting documentation to justify each journal entry. In most cases, staff members should use preprinted sequentially numbered forms, and written policies concerning the use of the forms should be established.

The following are examples of supporting documentation:

- a. All journals and ledgers
- b. Annual financial reports with working papers
- c. Annual program reports, including statistics, with working papers
- d. Bank reconciliations
- e. Bank statements
- f. Checks/Warrants
- g. Contracts
- h. Correspondence
- i. Deposit slips
- j. Fixed assets inventory listings
- k. Inventory count sheets
- l. Invoices
- m. Journal vouchers
- n. Leave requests
- o. Petty cash count sheets
- p. Petty cash receipts
- q. Petty cash reimbursement receipts
- r. Pre-numbered cash receipts
- s. Purchase orders
- t. Support for sole-source-decisions
- u. Telephone logs
- v. Time sheets
- w. Travel claims
- x. Written policies

Maintain a current roster of grant or contract agreements.

Include the following information for each grant:

1. Grantor
2. Grant number
3. Title of grant
4. *Catalog of Federal Domestic Assistance* number
5. Period Covered
6. Approved budget (latest revision)
 - a. Grantor share
 - b. [Matching share](#) if required
 - c. Purpose of grant

Maintain a file on each grant. The file should contain at least the following items:

1. Grant agreement, including grant budget
2. All grant agreement amendments
3. Copy of periodic financial reports
4. Other pertinent information (e.g., correspondence, monitoring reports)

Maintain information on in-kind contributions and matching requirements by grant in separate file folders, as necessary.

CHAPTER IX TRAVEL

A. TRAVEL VOUCHER

All expenditures for travel should be substantiated by travel vouchers which contain the following information

1. Name of employee
2. Travel departure point(s) and destination(s)
3. Method of travel with documentation
4. Date and time of departure and return
5. Signature of employee
6. Approval **signature** of project director or supervisor
7. Grant number

B. DOCUMENTATION OF TRAVEL EXPENDITURES

The travel expenditures should be properly documented and the following documentation should be attached to the travel voucher. **The subrecipient may use any form that provides the above information. All travel claimed must be specifically authorized in the approved budget and must be related to project goals.**

For agencies that already have written travel policies, procedures, and rates, personnel should follow those rates or the State rates whichever are lower. The Comprehensive Tennessee Travel Regulations Reimbursement Rate Schedule can be found in OCJP Appendix D. Any requests for exceptions higher than these rates must be approved in writing by OCJP.

1. Paid motel/hotel receipts
2. Paid car rental bill and justification for renting rather than using public transportation
3. Airplane fare or other commercial transportation receipt

The subrecipient may use any form that provides the above information. All travel claimed must be specifically authorized in the approved budget and must be related to project goals.

4. Foreign Travel: Foreign travel includes any travel outside of Canada and the United States and its territories and possessions. Direct charges for foreign travel costs are allowable only when the travel has prior approval of OCJP. Indirect charges for foreign travel are allowable, with prior approval of OCJP, when approved as part of the Federally approved indirect cost rate and they have a beneficial relationship to the project.

NOTE: Reimbursement for a single meal for employees on a one day travel status is not permitted.

Travel Reimbursement rate: <http://www.state.tn.us/finance/act/policy8.pdf> p.11

CHAPTER X

PROPERTY AND EQUIPMENT

Grant subrecipients are required to be prudent in the acquisition and management of property purchased with federal funds. Expenditure of funds for the acquisition of new property, when suitable property required for the successful execution of projects is already available within the organization will be considered an unnecessary expenditure.

A. **EQUIPMENT ACQUIRED**

Equipment Acquired with Crime Control Act Block/Formula Funds (BJA)

Equipment acquired shall be used and managed to ensure that the equipment is used for criminal justice purposes. Standards and procedures governing ownership, use, management, and disposition are as follows:

1. **Title:** The Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC §3789, *et seq* Section 808, requires that the title to all equipment and supplies purchased with funds made available under the Crime Control Act shall vest in the criminal justice agency or non-profit organization that purchased the property, if it provides written certification to the State office that it will use the property for criminal justice purposes through the subrecipient application process.
2. **Use and Management:** A subrecipient or State shall use and manage equipment in accordance with their own procedures as long as the equipment is used for criminal justice purposes.

B. **SCREENING**

Careful screening should take place before acquiring property in order to ensure that it is needed with particular consideration given to whether equipment already in the possession of the organization can meet identified needs. While there is no prescribed standard for such a review, the subrecipient may establish procedures for a level of review dependent on facts such as the cost of the proposed equipment and the size of the organization. The establishment of a screening committee may facilitate the process; however, a subrecipient may utilize other management techniques which it finds effective as a basis for determining that the property is needed and that it is not already available within the organization.

If the OCJP determines that the grant subrecipient does not employ an adequate property management system, project costs associated with the acquisition of the property may be disallowed.

C. **DOCUMENTATION**

Receipts or invoices with order dates are required on all equipment items purchased with grant funds. Receipts should be approved and initialed by the Project Director or other authorized individual prior to payment. Invoices should be marked paid and should have the date, check number, grant number and initials of the Project Director on them. Documentation of equipment purchased and supporting receipts should also be

maintained to provide for easier documentation on the annual Project Equipment Summary Report ([OCJP Appendix K](#)), which requires a listing of all equipment purchased via grant funds during the year.

D. MANAGEMENT AND OVERSIGHT OF EQUIPMENT

Subrecipient procedures for managing equipment (including replacement), whether acquired in whole or in part with project funds, shall, at a minimum, include the following requirements:

1. Property records or equipment inventory records must be maintained which include:
 - a. Purchasing grant award number
 - b. Description of the property
 - c. Serial number or other identification number
 - d. Identification of who holds the title
 - e. Acquisition date
 - f. Cost of the property
 - g. Percentage of Federal participation in the cost of the property
 - h. Location of property
 - i. Use and condition of property
 - j. Disposition data including the date of disposal and sale price
2. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
3. A control system must exist to ensure adequate safeguards to prevent:
 - a. Loss
 - b. Damage or
 - c. Theft of the property

NOTE: Any loss, damage, or theft shall be investigated by the subrecipient, as appropriate. Subrecipients are responsible for replacing or repairing the property that is willfully or negligently lost, stolen, damaged, or destroyed. Any loss, damage, or theft of the property must be investigated and fully documented and made part of the official project records.

4. Adequate maintenance procedures must exist to keep the property in good condition.
5. If the subrecipient is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

E. PURCHASE OF COMPUTERS AND RELATED EQUIPMENT

All computers, servers, workstations, printers, scanners, and software purchased with federal funds must adhere to the Computer Guidelines for the Office of Criminal Justice ([OCJP Appendix C](#)) technical capability and computer compatibility among various services being provided by the State, and Federal governments.

F. DISPOSITION

In the event of the termination of an OCJP grant prior to the end of the grant term, OCJP subrecipients should contact OCJP for instructions regarding equipment disposition.

G. REPORTING PURCHASE

Grant subrecipients shall complete the Project Equipment Summary Report ([OCJP Appendix K](#)) for all OCJP grants. This form is a list of all equipment purchased during each fiscal year and is completed on an annual basis only if equipment is purchased with OCJP grant funds.

CHAPTER XI PUBLICATIONS

A. DEFINITION

Publication shall be construed as the initiation of the procurement of writing, editing, preparation of related illustration material, including videos from subrecipients, or the internal printing requirements of the subrecipient necessary for compliance with the terms of the project. However, individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty a single copy of any such article for their own use.

B. PUBLICATION OF DOCUMENTS

Project directors are encouraged to make the results and accomplishments of their activities available to the public. A subrecipient who publicizes project activities and results shall adhere to the following:

1. Responsibility for the direction of the project should not be ascribed to the Department of Justice, Department of Health and Human Services, or the Tennessee Office of Criminal Justice Programs.
2. All reports, studies, notices, informational pamphlets, press releases, signs, and similar public notices (written, visual or sound) prepared and released by the Grantee shall include the statement:

“This project is funded under an agreement with the State of Tennessee, Department of Finance and Administration, Office of Criminal Justice Programs and is supported by Award #_____ awarded by the Bureau of Justice Assistance, Office of Justice Programs, USDOJ.”

The Award # is located in Section E, Federal Funding Statement of your contract. Additionally, studies and research/report type publications expressing the direction of project activity must also contain the following federal funding statement:

“The opinions, findings, conclusions or recommendations contained within this document are those of the author and do not necessarily reflect the views of the Department of Justice”.

NOTE: FVS GRANTS ONLY

Please refer to [Chapter IV](#) of the FVS Grant Specific information relating to funding statements.

3. A recipient/subrecipient is expected to publish or otherwise make widely available to the public, as requested by OCJP, the results of work conducted or produced under an award.

4. The subrecipient also agrees that one copy of any such publication will be submitted to the Office of Criminal Justice Programs of the Department of Finance and Administration to be placed on file and distributed as appropriate to other potential subrecipient or interested parties.
5. All publication and distribution agreements with a publisher will include provisions giving the Federal government a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use for Federal government purposes. (Refer to Copyrights section of [Chapter 6 of the U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide.](#))
6. Unless otherwise specified in the award, the subrecipient may copyright any books, publications, films, or other copyrightable material developed or purchased as a result of award activities. Copyrighted material shall be subject to the same provisions of the Federal government.
7. The subrecipient shall submit a publication and distribution plan to the OCJP before materials developed under an award are commercially published or distributed. The plan shall include a description of the materials, the rationale for commercial publication and distribution, the criteria to be used in the selection of a publisher, and, to assure reasonable competition, the identification of firms that will be approached. Prior OCJP approval of this plan is required for publishing project activities and results when Federal funds are used to pay for the publication.

CHAPTER XII

PROCUREMENT OF GOODS AND SERVICES

A. PROCUREMENT STANDARDS

1. **General:** The subrecipient shall follow the same policies and procedures it uses for procurement from its non-Federal funds. The subrecipient shall ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders, their implementing regulations, and the grant contract provisions.
2. **Standards:** Subrecipients shall use their own procurement procedures and regulations, provided that the procurement conforms to applicable Federal law and the standards identified in the Procurement Standards Sections of 28 CFR Parts 66 and 70. Any subrecipient whose procurement system has been certified by a Federal agency is not subject to prior approval requirements of 28 CFR Parts 66 and 70. OCJP's prior approval will only be required for areas beyond limits of the subrecipient certification.
3. **Adequate Competition:** All procurement transactions, whether negotiated or competitively bid and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition. Interagency agreements between units of local government are excluded from this provision.
4. **Non-Competitive Practices:** The subrecipient shall be alert to organizational conflicts of interest or non-competitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work, and/or Requests for Proposals (RFP's) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Any request for exemption must be submitted in writing to OCJP.

CHAPTER XIII

PROCUREMENT OF PROFESSIONAL SERVICES

Subrecipients must secure professional services through competitive bidding or the use of competitive negotiation. Subrecipient agencies are accountable to OCJP for the work and performance of their contract as procured through a professional service contract.

A. State Approval(s)

All Requests for written Proposals (RFPs), Invitations to Bid, or other competitive bidding processes and documents are subject to prior written approval of OCJP before being undertaken by the subrecipient.

B. Daily Records

Adequate daily records should be maintained to prove that the professional service contractor has in fact performed the services. They should contain the following information:

1. Hours and dates worked on the project.
2. A description of services performed.
3. Records of actual supplies and operating expenses included in the contract.

C. Professional Services Contracts (**Subcontracts**)

Professional service contracts must be developed and implemented whenever the subrecipient uses professional fees to pay for services that the subrecipient does not provide itself.

A signed, written professional service contract along with a detailed description of the competitive bidding process used for all professional services must be forwarded to OCJP for written approval prior to issuance. Professional service contracts must include an annual budget for each year that the subcontract is in effect. Subrecipients must keep a file, on-site, that includes the original professional service contract and approved budgets.

To assist subrecipients in developing a written professional service contract, please refer to the required information described below:

The OCJP Required Subcontract Language must be used for all professional service contracts. (See **OCJP Required Subcontract Language**)

In addition, all professional service contracts must include at least the following provisions:

1. The identity of the contracting parties; **including name, address, phone number, and contact person.**
2. A statement of work expressed in clear, concise terms for tasks to be accomplished.
 - a. The specific duties of the professional service contractor should be stated in such a way that he/she knows what is required and to permit the subrecipient to determine that the requirements have been met before making payment.
 - b. The tasks, when accomplished, should produce results consistent with the project objectives.
 - c. Sentences should be written so that there is no question as to whether or not the professional services contractor is to be obligated (i.e., "The contractor shall do this work," not "this work will be required.")
 - d. Persons or committees who will approve reports or specific accomplishments should be specified and part of the contract price should be contingent upon that approval.
 - e. Proper reference documents should be described.
 - f. Avoid implied requirements and eliminate any material not pertinent to the professional service contract.
 - g. Consultant rates of payment are to be reasonable and consistent with that paid for similar services in the market place. Consideration will be given to compensation including fringe benefits for those individuals whose employers do not provide the same. In addition, when the rate exceeds \$450 (excluding travel and subsistence costs) for an eight-hour day, a written **PRIOR APPROVAL** is required from OCJP. Prior approval requests require additional justification. An eight-hour day may include preparation, evaluation, and travel time in addition to the time required for actual performance. Please note, however, that this does not mean that the rate can or should be \$450 for all consultants. Rates should be developed and reviewed on a case-by-case basis and must be reasonable and allowable in accordance with OMB cost principles. Approval of consultant rates in excess of \$450 a day that are part of the original application with appropriate justification and supporting data will be approved on a case-by-case basis.
 - (1) Consultants associated with Educational Institutions: The maximum rate of compensation that will be allowed is the consultant's academic salary projected for 12 months, divided by 260. These individuals normally receive fringe benefits which include sick leave for a full 12 month period even though they normally only work nine months per year in their academic positions.

- (2) Consultants Employed by Local Government:
Compensation for these consultants will only be allowed when the unit of government will not provide these services without cost. If a local government employee is providing services under a Federal grant and is representing their agency without pay from their respective unit of government, the rate of compensation is not to exceed the daily salary rate for the employee paid by the unit of government. If the local government is providing services under a Federal grant and is not representing their agency, the rate of compensation is based on the necessary and reasonable cost principles.
- (3) Independent Consultants: The rate of compensation for these individuals must be reasonable and consistent with that paid for similar services in the market place. Compensation may include fringe benefits.

- 3. Professional service contracts shall contain certain suitable provisions for termination by the subrecipient (your organization), including the manner by which it will be effected and the basis for settlement.

Such provisions normally include:

- a. Termination for default in performance
 - b. Termination for convenience of subrecipient (e.g., discontinuation Of federal funds)
- 4. Professional service contracts must provide a description of compensation and method of payment.
 - 5. All professional services contracts must include a provision allowing the funding authority (the subrecipient, OCJP, the U.S. Bureau of Justice Assistance, Department of Health and Human Services for FVS grants, and the Comptroller General of the United States, or any of their duly-authorized representatives) to have access, for purpose of audit and examination, to any records pertinent to the grant upon demand.
 - 6. With regard to patents and copyrights, OCJP and/or the U.S. Bureau of Justice Assistance shall have irrevocable, nonexclusive royalty-free license to any invention and to reproduce, publish, and use any materials, in whole or in part, and authorize others to do so, which are produced utilizing federal and/or state funds provided under the terms of a subgrant.
 - 7. Professional services contract (sub-contract) oversight is a key priority for the distribution of federal funds. Subrecipients must have a process for approving, revising, and monitoring professional service contracts. Monitoring policies should clearly address both program and fiscal monitoring of professional services contracts.

Programmatic Monitoring – determines if service delivery is consistent with contract provisions. Program monitoring may include any or all of the following:

- reviewing the contract to determine what service the sub-contract is to provide and if this service is being provided.
- reviewing the sub-contractors reports and other materials to determine if services are being provided.
- interviewing direct delivery staff and others to determine if the services are being performed according to the contract.
- conducting on-site reviews to check the nature and quality of the services being provided.

Fiscal Monitoring – examines the sub-contractor's financial records and procedures as they pertain to the sub-contract. Fiscal monitoring may include any or all of the following:

- reviewing the sub-contractors invoices to the subrecipient agency.
- comparing the sub-contract budget to the actual costs.
- obtaining reasonable documentation that services billed were actually delivered according to the contract.
- comparing invoices with supporting documentation to determine that costs were allowable.

State agencies should have professional services contracts monitored by their internal monitoring services.

CHAPTER XIV

ALLOWABLE COST

Allowable costs are those costs principles identified in [OMB Circular A-87](#) for State and Local Government, [OMB Circular A-122 for Non-Profits](#) and in the grant program's authorizing legislation. In addition, costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements. Discussions of certain elements of the following costs are listed below.

A. CONFERENCE AND WORKSHOPS

Allowable costs may include:

1. Conference and meeting arrangements
2. Publicity
3. Registration
4. Salaries of personnel
5. Rental of staff offices
6. Conference space
7. Recording or translation services
8. Postage
9. Telephone charges
10. Travel expenses (including transportation and subsistence for speakers or participants)
11. Lodging

Effective January 1, 2001, all OCJP funded contracts for events that include lodging for 30 or more participants must not exceed the Federal per diem rate for lodging. In the event the lodging rate is not the Federal per diem rate or less, none of the lodging costs associated with the event would be allowable costs to the award. As a result, the recipient would be required to pay for all lodging costs for the event, not just the amount in excess of the Federal per diem. For example, if the Federal per diem for lodging is \$78 per night, and the event lodging rate is \$100 per night, the recipient must pay the full \$100 per night with non-grant funds, not just the difference of \$22 per night.

B. FOOD OR BEVERAGE

Definition: Food and Beverages retain their common meanings. Food and beverages are considered in the context of formal meals and in the context of refreshments served at short, intermittent breaks during an activity. Beverages do not include alcoholic beverages.

Food and/or beverage expenses provided by subrecipients are allowable subject to the conditions stated below:

1. Food and/or beverages were provided to participants at training sessions, meetings, or conferences that are allowable activities.
2. Expenses incurred for food and/or beverages provided at training sessions, meetings, or conferences must satisfy the following three tests:

(Please note: The presence of Federal employees does not prevent the provision of food and beverages under the three-part test)

- a. The cost of the food and/or beverages provided is considered to be reasonable.
- b. The food and/or beverages provided are subject of a work related event.
- c. The food and/or beverages provided are not directly related to amusement or social activities. (Any event where alcohol is being served is considered a social event; and, therefore, costs associated with that event are not allowable.)

The recipient adheres to the applicable definitions for food and beverages contained in the Federal Financial Guide Glossary.

Each recipient that desires to purchase food and/or beverages under a grant, or contract under a grant, should follow the food and beverage policy guidelines. Guidance should be applied within the context of each individual situation. While food and/or beverages are allowable, recipients are not required to provide them at training sessions, meetings, or conferences.

3. **To determine whether costs associated with food and/or beverages are allowable, the Subgrantee should consider:**
 - a. To whom the food and/or beverages will be provided
 - b. Under what conditions the food and/or beverages will be provided
 - c. That the appropriate test(s) has been satisfied. (see above)
4. **The top ten tips for provisions of food and beverages provided under Office of Justice Programs (OJP) follows:**
 - a. Provide a speaker at a lunch or dinner
 - b. Support the event with a formal agenda
 - c. The event must be mandatory for all participants
 - d. Do not pay for bar charges using registration fees, program income, etc.
 - e. Do not make alcoholic beverages available at the event
 - f. Provide appropriate break foods
 - g. Surrounding events must provide several hours of substantive information
 - h. Do not end events with a meal or break
 - i. Costs must be reasonable

- j. As a participant, reduce the per diem requested for reimbursement appropriately

C. SPACE

The cost of space in privately - or publicly - owned buildings used for the benefit of the program is allowable subject to the conditions stated below:

- The total cost of space may not exceed the rental cost of comparable space and facilities in a privately owned building in the same locality.
 - The cost of space procured for program usage may not be charged to the program for periods of non-occupancy, without authorization of the Federal-awarding agency.
1. **Rental Cost:** The rental cost of space in a privately owned building is allowable. Rent cannot be paid if the building is owned by the grantee or if the grantee has a substantial financial interest in the property. However, the cost of ownership is an allowable expense. Similar costs for a publicly owned building are allowable where "rental rate" systems, or equivalent systems that adequately reflect actual costs, are employed. Such charges must be determined on the basis of actual cost (including depreciation-based on the useful life of the building, operation and maintenance, and other allowable costs). Where these costs are included in rental charges, they may not be charged elsewhere. No costs will be included for purchases or construction that were originally financed by the Federal government.
 2. **Maintenance and Operation:** The cost of utilities, insurance, security, janitorial services, elevator services, upkeep of grounds, normal repairs and alterations, and the like are allowable to the extent they are not otherwise included in rental or other charges for space.
 3. **Occupancy of Space Under Rental-Purchase or a Lease with Option-to-Purchase Agreement:** The cost of space procured under such arrangements is allowable when specifically approved by OCJP. This type of arrangement may require application of special matching share requirements under construction programs.
 4. **Depreciation and Use Allowances on Publicly-Owned Buildings:** Depreciation or a use allowance on idle or excess facilities is NOT ALLOWABLE.

D. SOFTWARE DEVELOPMENT

Software development is an allowable cost and may be expended in the period incurred.

E. DEPRECIATION

Depreciation is an allowable cost and an accelerated method should not be used.

F. POST-EMPLOYMENT

Post employment benefits are allowable costs if funded in accordance with actuarial requirements. Funds must be paid within six months of recordation.

G. GENERAL SALARIES AND PERSONNEL COST

Payment of personnel costs are allowable if costs are a part of an approved project and are necessary and incidental to project implementation and operation. Overtime must receive prior OCJP approval and will only be approved on a case by case basis.

H. CONSULTANT FEES

Individual consultant fees are limited to \$450 per day or \$56.25 per hour; this includes legal, medical, psychological, training and accounting consultants. (Click here for VOCA specific consultant fee information or see [VOCA Chapter IV – Allowable Cost](#))

I. EQUIPMENT, SOFTWARE AND HARDWARE

Equipment and hardware expenses which are part of an approved project, if necessary and incidental to that project, are allowable expenses. (See [OCJP Appendix C- Computer Guidelines](#))

J. TRAVEL

In cases of agencies that already have written travel policies, procedures, and rates subrecipients should follow those rates or the state rates, whichever are lower. Any requests for exceptions higher to these rates must be approved in writing by OCJP. (See [OCJP Appendix D-Tennessee Travel Regulations](#))

NOTE: Please click on the links below for grant specific allowable cost or see the appropriate grant specific chapter.

[VOCA specific Allowable Cost](#) or see VOCA Chapter IV-Allowable Cost

[STOP specific Allowable Cost](#) or see STOP Chapter IV-Allowable Cost

[Click here to go the Federal Financial Guide-Allowable Cost Chapter](#) for additional information or <http://www.ojp.usdoj.gov/FinGuide/part3chap7.htm>

CHAPTER XV

UNALLOWABLE COSTS

A. CONSTRUCTION

Use of OCJP grant funds for construction projects is prohibited.

B. LAND ACQUISITION

The funding legislation specifies that no Federal award involving the renting, leasing, or construction of buildings or other physical facilities shall be used for land acquisition. Accordingly, land acquisition costs are unallowable.

C. SUPPLANTING

Federal funds cannot be used to supplant state or local funds. Supplanting means that federal funds are used to replace state or local funds that would, in the absence of such federal aid, be made available for law enforcement, criminal justice, system improvement, victim compensation and assistance, and drug enforcement. All applicants must certify that formula grant money will be used to increase the amount of funds available for the applicable drug law enforcement, victim service activity or their criminal justice system activity.

D. COMPENSATION OF FEDERAL EMPLOYEES

Salary payments, consulting fees, or other enumeration of full-time Federal employees are unallowable costs.

E. TRAVEL OF FEDERAL EMPLOYEES

Costs of transportation, lodging, subsistence, and related travel expenses of awarding agency employees are unallowable charges. Travel expenses of other federal employees for advisory committee or other program or project duties or assistance are allowable if they have been:

1. Approved by the federal employee's Department or Agency; and
2. Included as an identifiable item in the funds budgeted for the project or subsequently submitted for approval.

F. BONUSES OR COMMISSIONS

Bonuses to staff, officers or board members of profit or non-profit organizations are determined to be a profit or fee and are unallowable. The subrecipient is prohibited from paying any bonus or commission to any individual or organization for the purpose of obtaining approval of an application for award assistance.

G. MILITARY TYPE EQUIPMENT

NOTE: Item G is specific to Byrne/JAG only.

Costs for such items as armored vehicles, explosive devices, and other items typically associated with the military arsenal, excluding automatic weapons, are unallowable. Exceptions MAY be made by the awarding agency upon a written request and justification from the recipient.

H. LOBBYING

All subrecipients must comply with the provisions of the government-wide Common Rule on Restrictions on Lobbying, as appropriate.

1. The following lobbying cost prohibition is applicable to all subrecipients of funding:
 - a. Attempting to influence the outcome of any Federal, State, or local election, referendum, initiative, or similar procedure, through in-kind or cash contributions, endorsements, publicity, or similar activity; and
 - b. Establishing, administering, contributing to, or paying for the expenses of a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcome of elections.
 - c. Attempting to influence: (a) the introduction of Federal or State legislation; or (b) the enactment or modification of any pending Federal or State legislation through communication with any member or employee of the Congress or State legislature (including efforts to influence State or local officials to engage in similar lobbying activity), or with any government official or employee in connection with a decision to sign or veto any legislation.
 - d. Publicity or propaganda purposes designed to support or defeat legislation pending before legislative bodies.
 - e. Paying, directly or indirectly, for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a member of Congress or a State legislature, to favor or oppose, by vote or otherwise, any legislation or appropriation by either Congress or a State legislature, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation.

- f. Engaging in legislative liaison activities, including attendance at legislative sessions or committee hearings, gathering information regarding legislation, and analyzing the effect of legislation, when such activities are carried out in support of or in knowing preparation for an effort to engage in unallowable lobbying,
- g. Paying a publicity expert,
- h. The Anti-Lobbying Act, 18 U.S.C. § 1913, recently was amended to expand significantly the restriction on use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S.C. § 1352.

The Office of Managements and Budget (OMB) is currently in the process of amending the OMB cost circulars and the common rule (codified at 28 C.F.R. Part 69 for DOJ grantees) to reflect these modifications. However, in the interest of full disclosure, all subrecipients understand that no federally appropriated funding made available under this grant program may be used, either directly or indirectly, to support the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government, without the express approval of OCJP. Any violation of this prohibition is subject to a minimum \$10,000 fine for each occurrence. This prohibition applies to all activity, even if currently allowed within the parameters of the existing OMB circulars.

I. FUND RAISING

Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, may not be charged either as direct or indirect costs against the award. Neither the salary of persons engaged in such activities nor indirect costs associated with those salaries may be charged to the award, except insofar as such persons perform other funding-related activities.

- 1. An organization may accept donations (i.e., goods, space, services) as long as the value of the donations is not charged as a direct or indirect cost to the grant.
- 2. A subgrantee may also expend funds, in accordance with approved award terms, to seek future funding sources to “institutionalize” the project, but not for the purpose of raising funds to finance related or complementary project activities.
- 3. Nothing in this section should be read to prohibit a subrecipient from engaging in fund raising activities as long as Federal or non-Federal award funds do not finance such activities.

J. CORPORATE FORMATION

The cost for corporate formation may not be charged either as direct or indirect costs against the award.

K. STATE AND LOCAL TAXES

State and local taxes are unallowable when the government assesses taxes upon itself or disproportionately to Federal programs. An example of an unallowable tax would be if the government levied taxes as a result of Federal funding. An example of an allowable sales tax would be user taxes, such as gasoline tax. These provisions become effective as of the government's fiscal year beginning on or after January 1, 1998.

L. CONFERENCES AND WORKSHOPS

Unallowable costs include:

1. Entertainment
2. Sports
3. Visas
4. Passport Charges
5. Tips
6. Bar Charges/Alcoholic Beverages
7. Laundry Charges
8. Lodging costs in excess of Federal per diem. For events of 30 or more participants that are funded with an OCJP award, if lodging costs exceed the Federal per diem, none of the lodging costs are allowable, effective January 1, 2001.

M. OTHER UNALLOWABLE EXPENSES

1. Legal fees
2. Cost in applying for this grant
3. Any expenses prior to the grant award date
4. First Class Travel
5. Management or administrative training
6. Sole source contracts (without the prior written approval from the Office of Criminal Justice Programs)
7. Depreciation or a use allowance on idle or excess facilities.
8. Cost incurred outside the project period. Any costs that are incurred either before the start of the project period or after the expiration of the project period are not allowable.

NOTE: THIS LIST IS NOT ALL-INCLUSIVE. For further clarification contact your OCJP Program Manager.

Please click on the following links for grant specific unallowable cost:

[VOCA specific Unallowable Cost](#) (See VOCA Chapter V-Unallowable Cost)

[STOP specific Unallowable Cost](#) (See STOP Chapter V-Unallowable Cost)

For additional information see the [Department of Justice Federal Financial Guide-Unallowable Cost Chapter](#). (<http://www.ojp.usdoj.gov/FinGuide/part3chap16.htm>)

CHAPTER XVI

INDIRECT COST

A. DEFINITION

Indirect costs are costs of an organization that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project. The cost of operating and maintaining facilities, depreciation, and administrative salaries are examples of the types of costs that are usually treated as indirect costs.

B. APPROVED PLAN AVAILABLE

1. Should the subrecipient request reimbursement for indirect cost, the subrecipient must submit to OCJP a copy of the indirect cost rate approved by the cognizant federal agency and OCJP.
2. OCJP may accept any current indirect cost rate or allocation plan previously approved for a subrecipient by the cognizant Federal agency on the basis of allocation methods substantially in accordance with those set forth in the applicable cost circulars.
3. Where the approved final indirect cost rate is lower than the actual indirect cost rate incurred, subrecipients may not charge expenses included in overhead pools (e.g., accounting services, legal services, building occupancy and maintenance, etc.) as direct costs.
4. The subrecipient will be reimbursed indirect costs as detailed in the Grant Budget and as substantiated by the approved indirect cost rate. Once the subrecipient makes an election and treats a given cost as direct or indirect, it must apply that treatment consistently and may not change during the contract period. Any changes in the approved indirect cost rate must have prior approval of the cognizant federal agency and OCJP.

C. NO APPROVED PLAN

If an indirect cost proposal for recovery of actual indirect costs is not submitted to the cognizant Federal agency and OCJP within three months of the start of the award period, indirect costs will be irrevocably lost for all months prior to the month that the indirect cost proposal is received. This policy is effective for all contracts.

D. COST ALLOCATION PLANS--Central Support Services

State agencies and local units of government may not charge to an award the cost of central support services supplied by the State or local units of government

except pursuant to a cost allocation plan approved by the cognizant Federal agency. The rate which is to be applied may be on a fixed, predetermined, or fixed-with-carry-forward provision.

CHAPTER XVII

CONTRACT REVISION

A. Budget Revisions

1. Subrecipients should routinely review grant budgets to assure program funds are being utilized correctly and efficiently. It is the expectation of OCJP that funds are being utilized as indicated and in a fiscally responsible manner throughout the contract period.
2. It is the responsibility of the subrecipient to adhere to the **most current** OCJP approved grant budget or request a revision to the budget as modifications become necessary.
3. Budget revisions requesting retroactive approval to a prior date will not be considered.
4. All budget revision requests, *which require OCJP prior approval*, must be received prior to June 1 of the fiscal year in question, to be considered. Requests after June 1 will not be considered.
5. Budget revisions are considered for the current fiscal year only.
6. The movement of money between line items may only occur for allowable expenses. (See OCJP Chapter XII for Allowable Cost and Chapter XIII for Unallowable Costs).
7. Budget revisions do not change the total amount of funding available for the grant.
8. Budget revision requests may be hand delivered, mailed, faxed, or e-mailed. It is not considered good use of grant money to send budget revisions by Fed Ex, priority mail, etc. **Subrecipients are encouraged to submit Budget Revision Forms to your Program Manager electronically.**
9. Documentation of any budget modification must be maintained **in the agency grant file** and **made** available for review within the program **and for OCJP monitors.**
10. Revised budget amounts requiring OCJP written approval **must** be reflected in **Column A, Total Contract Budget**, on all future invoices submitted for reimbursement.

NOTE: Failure to reflect the most current budget amounts in Column A, Total Contract Budget, on your invoice forms may result in your invoice being held for OCJP clarification and payment being delayed.

11. Budget revisions requiring written approval are effective the date of the approval letter. Budget revisions will not be approved until they are complete and accurate.

Subrecipients are allowed to make budget modification in order to reallocate dollar amounts among budget categories by one of the following methods:

12. WRITTEN NOTIFICATION REQUIRED (10% rule):

OCJP must receive **written notification** of any movement of dollars between **approved** budget categories that is equal to or less than 10 percent of the total federal and/or state award amount provided:

- a. The cumulative amount to be reallocated within a fiscal year does not exceed 10% of the total federal and/or state award for that particular fiscal year.
- b. Movement of dollars does not include line items with zero dollar amounts.
- c. Line item changes include only items that are currently in the agency's approved budget.
- d. Movement of dollars does not change the project purpose/goals or intended outcomes.

NOTE: "Written notification" is done by submitting an OCJP 10% Rule Notification Summary sheet to OCJP. (See OCJP Appendix N for the [OCJP 10% Rule Notification Summary form and instructions](#).

13. PRIOR WRITTEN OCJP APPROVAL IS REQUIRED:

OCJP must receive a written budget revision request for any movement of dollars between budget categories **when:**

- a. The cumulative amount to be reallocated within a fiscal year is greater than 10% of the agency's total federal and/or state award amount for the current fiscal year.
- b. Line item changes are for items that are currently not included in the agency's approved budget.
- c. The line item to which money is being moved has a zero balance.

NOTE: All budget changes requiring OCJP written approval must be reflected on your invoice form only after OCJP has approved your revision request. Failure to do so could result in your invoice being held for OCJP clarification and reimbursement being delayed.

The written budget request must be submitted to OCJP for written approval prior to the changes being implemented using the [grant specific](#)

budget revision forms. Complete OCJP Budget Revision Forms for your specific program can be located by clicking on the link below or in the appropriate grant specific appendix. Scroll to the middle of the page when link opens.

[VOCA](#) (VOCA Appendix C)

[METH](#) (METH Appendix B)

[STOP](#) (STOP Appendix C)

[Family Violence](#) (Family Violence Appendix C)

[Byrne/Jag](#) (Byrne/JAG Appendix C)

[RSAT](#) (RSAT Appendix C)

A complete set of **revised** budget sheets will replace the existing budget in the OCJP grant file. Therefore, all line items that are to be included in your current budget must be completed in the proposed revised budget, not just the line items that are revised.

OCJP will respond in writing approving, or denying the completed **and correct** budget revision requests within 10 **business** days of receipt. **Written approval from OCJP is required before movement of dollars can occur.**

NOTE: VOCA Grants Only

Budget revisions, requiring OCJP written approval or otherwise, MAY NOT change approved amounts specified in the Subgrant Award Report (SAR) for a particular priority area (domestic violence, sexual assault, child abuse, or previously underserved).

B. Programmatic Revisions

The subrecipient must obtain prior written approval from OCJP for any change in project purpose/goals or intended outcomes. Program revisions are not necessary for minor changes in activities and outputs, only in changes that significantly change the needs of the clients to be met and the purpose/goals of the project. The following changes in a grant-funded project will require a program revision:

1. Expanding or decreasing the geographic area to be served.
2. Changing the target group to be served.
3. Modifying the types of client needs to be addressed by the project.

While this is not an inclusive list, it is OCJP's intent that a program revision be requested only when a change in direction of a project is anticipated

The written request to make program adjustments must include:

1. A description of the reason(s) for the requested change.

2. A statement describing the effect the requested change would have on the program goals and objectives.
3. A revised project logic model incorporating the revised information.

NOTE: The written request and the revised program narrative must be submitted to OCJP for written approval prior to the changes **being implemented**.

CHAPTER XVIII

CONTRACT AMENDMENT

A. **Budget Amendment**

Unlike a budget revision, a proposed budget amendment contemplates a change in the overall *federal* funding level of a contract. A budget amendment is necessary anytime the total *federal* funding amount of a grant/contract is increased or decreased. The subrecipient must secure prior written approval from OCJP for any contract budget amendments prior to the official contract amendment process. The written request, accompanied by amended detail and summary budget pages, and any related documentation must be submitted to OCJP for approval. Only after *written* approval by OCJP and contract amendments signed by the subrecipient and the Commissioner of the Department of Finance and Administration will the budget amendment be executed.

B. **Program Amendment**

In order to significantly modify the programmatic goals and/or objectives of an original contract, new Program Narrative Statements must be developed demonstrating any change in the Target Population, Project Goals, Objectives, Project Activities, Collaborative Activities, Performance Measures, Staffing and Multi-Year Goals and Objectives. These proposed changes must be submitted in writing to OCJP for approval. OCJP will in turn review the recommendations and determine if the changes warrant pursuit of a contract program amendment. Only after *written* approval by OCJP and contract amendments signed by the subrecipient and the Commissioner of the Department of Finance and Administration will the program amendment be executed.

C. **Contract Term Amendment**

A contract amendment that is intended to change the term (duration) of a contract must follow the same procedures as described in paragraphs A and B above. Explanation of why the term needs to be changed along with documentation describing how the change will impact the existing contract project *as well as narrative and budget detail and summary pages reflecting the changes* must be provided in written form to OCJP. Only after *written* approval by OCJP and contract amendments signed by the subrecipient and the Commissioner of the Department of Finance and Administration will the term amendment be executed.

D. Agency Name Change Amendment

1. A contract amendment is required to change the legal name of a subrecipient agency.
2. An agency name change request must be submitted in writing to OCJP along with copies of the official documentation supporting the legal action. This legal action generally involves non-profit agencies and results in approval of the Amendment to the Charter on file with the Secretary of State. OCJP will in turn review the documentation and amend existing OCJP contracts to reflect the legal change.
3. Revised Substitute W-9 ([OCJP Appendix H](#)) form and ACH (Automated Clearing House) ([OCJP Appendix G](#)) form must also be submitted to OCJP before the amendment can be processed.
4. Only after *written* approval by OCJP and contract amendments signed by the subrecipient and the Commissioner of the Department of Finance and Administration will the name change amendment be executed.

CHAPTER XIX

SUBRECIPIENT MONITORING

A. DEFINITION OF MONITORING

Monitoring is the review process used to determine a subrecipient's compliance with the requirements of a state and/or federal program, applicable laws and regulations, and stated results and outcomes. Monitoring also includes the review of internal controls to determine if the financial management and the accounting system are adequate to account for program funds in accordance with state and/or federal requirements. Monitoring should result in the identification of areas of non-compliance with the expectation that corrective action will be taken to ensure compliance.

The Federal Office of Management and Budget (OMB) issued a revised publication of Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations June 2003. The revision raised the audit threshold of subrecipients expending Federal funds from \$300,000 to \$500,000 increasing the number of subrecipients exempt from audit when Federal expenditures are less than \$500,000 for fiscal years ending after December 31, 2003. The revision also prohibits charges to federal awards for the costs of a single audit for entities expending less than \$500,000 per year. However, the revision allows charges for subrecipient monitoring costs or the costs of agreed upon audit procedures to federal awards provided that the monitoring procedures and/or audits are of lesser scope than a single audit.

Grant oversight continues to remain a key priority for distribution of federal funds. Simply put, because the threshold for federal auditing requirements has decreased they (OMB) has built in the funds for contractual/agency monitoring including both the programmatic side of the grant as well as the fiscal components of the grant (the scope being less than that of a full audit).

As a result, the State of Tennessee has made appropriate changes in agreements with subrecipients to reflect that single and program specific audits are no longer required for subrecipients expending less than \$500,000 annually, and has reviewed the overall monitoring process, and is requiring uniform statewide monitoring procedures to ensure subrecipient compliance. The Department of Finance and Administration has issued Policy 22 that establishes the requirements for subrecipient contract monitoring for the State of Tennessee.

In an effort to comply, a monitoring unit has been established within OCJP. The OCJP monitoring unit is responsible for performing monitoring activities in accordance with Policy 22, to ensure that Federal awards are used for authorized purposes in compliance with laws, regulations, and the provisions of contracts or grant agreements and that performance goals are achieved.

B. Policy 22

1. Identifies a set of core areas common to most state and/or federal awards consistent with [OMB Circular A-110](#), Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, [OMB Circular A-87](#), Cost Principles for State, Local, and Indian Tribal Governments, [OMB Circular A-122](#), Cost Principles For Non-Profit Organizations, and [OMB Circular A-133](#), Audits of States, Local Governments, and Non-Profit Organizations.
2. Places some criteria on the selection of subrecipient contracts to be monitored in any given fiscal year period.
3. Provides monitoring guidance in the Tennessee Subrecipient Contract Monitoring Manual.

C. OCJP MONITORING

1. **The Office of Criminal Justice Programs Provides Monitoring to:**
 - a. Determine subrecipient compliance with the requirements of state and/or federal programs, applicable laws and regulations and stated results and outcomes.
 - b. Ascertain if internal control over financial management and accounting systems are adequate to account for program funds in accordance with state and federal requirements.
2. **Subrecipient Agency Preparation For a Monitoring Visit:**
 - a. OCJP subrecipients can expect at least one monitoring visit during any three-year grant contract period (some subrecipients will be monitored annually).
 - b. Subrecipient agencies are selected for monitoring based on their level of risk as determined by OCJP. Examples of criteria used to determine risk are the number of grants received from OCJP, amount of funding received, and previous areas of concern are risk factors in determining an agency's level of risk. Based on the level of risk a subrecipient may or may not be identified for a monitoring review in any given year of their contract period.

- c. Prior to an on-site monitoring visit, subrecipients will receive notification from OCJP detailing the date and time of the monitoring visit in addition to what information will be requested. It is OCJP's expectation that all agencies scheduled for a monitoring visit will be prepared and have available all the information requested when the visit is arranged. Failure to cooperate fully with the monitoring process will result in written documentation of the agency's lack of compliance.

3. **Disposition**

At the conclusion of all monitoring review requirements, a monitoring report will be issued within thirty (30) **business** days. The report will be issued to the subrecipient, OCJP program and/or fiscal staff as well as to the Comptroller of the Treasury/Division of Audit. The monitoring report must be maintained on-site by the subrecipient as part of the subrecipient file.

Subrecipient Monitoring Reports may include four possible results:

- a. No findings of Noncompliance - OCJP does not identify any area(s), either programmatic or fiscal, that do not comply with specific criteria found in state or federal statutes, rules and/or regulations, OCJP subrecipient grant contract(s), state departmental policy for the subrecipient program, or good business practice.
 - (1) If the OCJP monitoring review results in no findings of noncompliance, no further action from the subrecipient is needed.
 - (2) The OCJP will follow-up with a letter to the subrecipient recognizing that the report was indeed completed and no findings were identified.
- b. Findings of Noncompliance - OCJP identifies an area(s), **either programmatic or fiscal**, that does not comply with specific criteria found in state or federal statutes, rules and/or regulations, OCJP subrecipient grant contract, state departmental policy for subrecipient programs, or good business practice.
 - (1) If the OCJP monitoring review identifies findings of noncompliance, the subrecipient will be allowed thirty (30) **business** days from the issued date of the report to submit a corrective action plan to the Office of Criminal Justice Programs outlining how the agency plans to correct the findings.

- (2) The Corrective Action Plan **must** include:
- (a) A statement of whether the subrecipient agency agrees with the finding or not.
 - (b) A detailed plan of how the agency will correct each individual finding or justification for the subrecipient's disagreement with the finding(s).
 - (c) Attachment of any subrecipient documents, forms, policy changes, reports, accounting tools, time sheets, data collection forms, etc. that ensures the subrecipient has corrected the finding(s).
 - (d) If the subrecipient disagrees with a finding(s) identified by OCJP, detailed documentation must also be submitted to refute the questioned finding(s).

NOTE: If the subrecipient has any questions regarding the report or their required written response to a noncompliant finding or observation report then they should contact their OCJP Program Manager for assistance.

- c. Findings of Noncompliance Resulting in Questioned Costs – In addition to all the requirements listed above in 3. (b). (Findings of Noncompliance) the subrecipient will need to repay all Questioned Costs listed in the Monitoring Report. To repay the Questioned Costs, a check (made payable to the **State of Tennessee**) must be submitted for the total of the Questioned Costs with the Corrective Action Plan within the allowed thirty (30) **business days** from the issuance date of the report to:

Office of Criminal Justice Programs
12th Floor WRS Tennessee Tower
312 8th Avenue North
Nashville, TN 37243-1700

Please list the contract number on the check or in the correspondence attached to the check in order for the repaid questioned costs to be applied to the proper fiscal year and the proper subrecipient contract number.

Any deviation from this questioned cost repayment policy **MUST** be approved **in writing** by the Director of the Office of Criminal Justice Programs prior to the **thirty** (30) **business** day deadline.

- d. Observations - An observation does not generally result from noncompliance as a finding, but rather is a situation observed by a monitor that is deemed to be a potential problem or of interest to the grantor agency and therefore is reported.
- (1) If a monitoring review identifies an observation, the subrecipient will be allowed thirty (30) **business** days from the issued date of the report to submit a response explaining the observation and outlining how the agency plans to correct the observation.
 - (2) The **Corrective Action Plan for** Observation(s) should include:
 - (a) A statement of whether the subrecipient agency agrees with the observation or not.
 - (b) A detailed statement of how the agency will address each individual observation, if needed.
 - (c) Attachment of any subrecipient documents, forms, policy changes, reports, accounting tools, time sheets, data collection forms, etc. that ensures the subrecipient has corrected the observation, if needed.
 - (d) If the subrecipient disagrees with an observation(s) identified by OCJP, detailed documentation must be submitted to refute the questioned observation(s).

Corrective Action Plans **for Finding(s) of Noncompliance and Observation(s)** can be combined and submitted as one document **for either one or more contracts managed by the agency.**

Corrective Action Plans **and** Questioned Costs checks (made payable to the State of Tennessee) should be submitted to:

Office of Criminal Justice Programs
12th Floor WRS Tennessee Tower
312 8th Avenue North
Nashville, TN 37243-1700

The Corrective Action Plan **must be completed by either the Project Direct or their designee and** be submitted no later than thirty (30) **calendar** days after receipt of the OCJP Subrecipient Monitoring Report.

NOTE: For a template for the Corrective Action Plan click [here](#). Although the use of the template is not mandatory, information in your Corrective Action Plan must be consistent with that which is included in the **template**.

4. **OCJP Response:**

- a. Upon receipt of a Corrective Action Plan or Observation Report, OCJP will review and determine its adequacy. If found adequate, OCJP will issue a letter of approval. In the event concerns remain, OCJP will determine what additional steps are needed and relate those requirements to the subrecipient in writing with an expected date of response by the subrecipient.
- b. All correspondence from OCJP to the subrecipient regarding the monitoring report and subrecipient responses must be maintained on site by the subrecipient as part of the subrecipient file.

CHAPTER XX

RETENTION OF AND ACCESS TO RECORDS

A. RETENTION OF RECORDS

In accordance with the requirements set forth in 28 CFR Parts 66 and 70, all financial records, supporting documents, statistical records, and all other records pertinent to the award shall be retained by each subrecipient organization for AT LEAST THREE YEARS following the closure of their most recent audit report. Retention is required for purposes of Federal and State examination and audit. Records may be retained in an automated format. State or local governments may impose record retention and maintenance requirements in addition to those prescribed.

1. **Coverage:** The retention requirement extends to books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, cancelled checks, and related documents and records. Source documents include copies of all awards, applications, and required subrecipient financial and narrative reports. Personnel and payroll records shall include the time and attendance reports for all individuals reimbursed under the award, whether they are employed full-time or part-time. Time and effort reports are also required for consultants.
2. **Retention Period:** The three-year retention period starts from the date of the submission of the closure of the single audit report which covers the grant period. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year period, the records must be retained until completion of the action and resolution of all issues which arise from it or until the end of the regular three-year period, whichever is later.

B. MAINTENANCE OF RECORDS

Subrecipients of funds are expected to see that records of different fiscal periods are separately identified and maintained so that information desired may be readily located. Subrecipients are also obligated to protect records adequately against fire or other damage. When records are stored away from the subrecipient's principal office, a written index of the location of records stored should be on hand and ready access should be assured.

C. ACCESS TO RECORDS

The awarding agency includes OCJP, the Federal Agency, the DHHS and the DOJ Office of the Inspector General, the Comptroller General of the United States, or any of their authorized representatives, who shall have the right of access to any pertinent books, documents, papers, or other records of sub recipients which are pertinent to the award, in order to make audits, examinations, excerpts, and transcripts. The right of **access must not** be limited to the required retention period but shall last as long as the records are retained.

When case files are reviewed by an OCJP representative, appropriate steps will be taken by agency staff to protect the identity of the victim(s). The client/victim, other than under a court order or statutory requirements, must approve any such access of their confidential information by signing a written [Release of Information](#) that has been made available by agency staff.

Agency staff must discuss the confidentiality policy with the victim upon intake or reasonable soon after. The victim must understand why the information would be shared, who would have access to the information, and what information would be shared. Staff would then make available a written time-limited "Release of Information", which will be signed and dated by the victim and agency representative, and kept on file. The victim has the option of declining to have any information released, however, a release form is still required with the victim checking the appropriate box, signing and dating the form. Requiring the release of information as a condition of service is prohibited.

The victim should sign releases unless the client/victim is an:

- unemancipated minor or a person with disabilities. In the case of a minor, the minor and a parent or guardian should sign the release;
- in the case of a person with disabilities, a legally appointed guardian should sign it. The abuser of the minor or person with disabilities or the abuser of the other parent of the minor may not give consent.

Agency victim success stories names must be kept confidential when reported to OCJP as these stories are shared with federal funding agencies for report to Congress. Victims must be made aware that their stories are being shared publicly but their names will remain confidential.

CHAPTER XXI

SANCTIONS AND TERMINATION OF FUNDING

A. SANCTIONS

If a subrecipient materially fails to comply with the terms and conditions of a contract, including civil rights requirements, whether stated in a Federal statute, regulation, assurance, application, or notice of award, OCJP may take one or more of the following actions, as appropriate in the circumstances.

1. Temporarily withhold cash payments pending correction of the deficiency by the subrecipient.
2. Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
3. Wholly or partly suspend or terminate the current contract.
4. Withhold further contracts for the project or program.
5. Take other remedies that may be legally available.

Failure by a subrecipient to materially comply with the terms of the contract or of the requirements described in this OCJP Administrative Manual for Subrecipients may be considered grounds for termination of subrecipient funding. Staff of the Department of Finance and Administration, OCJP are committed to assisting subrecipient staff realize contract success and will utilize all reasonable means to resolve problems or address potentially critical issues.

B. TERMINATION FOR CONVENIENCE

The State may terminate the grant by giving the subrecipient at least thirty (30) days written notice before the effective termination date. In that event, the subrecipient shall be entitled to receive equitable compensation for satisfactory, authorized services completed as of the termination date.

C. TERMINATION FOR CAUSE

If the subrecipient fails to fulfill its obligation under the Grant in a timely or proper manner, or if the subrecipient violates any terms of the grant, the State shall have the right to immediately terminate the Grant and withhold payments in excess of fair compensation for completed services. Notwithstanding the above, the subrecipient shall not be relieved of liability to the State for damages sustained by virtue of any breach of the grant by the subrecipient.

While termination of funding will not be exercised without prior written notice to the subrecipient, any consideration of future grant requests may be influenced by the gravity and extent of the irregularities causing termination as determined by F&A, OCJP.

OCJP ADMINISTRATIVE GRANT MANUAL

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BYRNE/JAG INTRODUCTION

This document is provided for use by all subrecipient staff receiving federal grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant (JAG) Program administered by the Tennessee Office of Criminal Justice Programs (OCJP). This Guide is to serve as reference for the financial and programmatic requirements/responsibilities of projects funded through the Edward Byrne Memorial Justice Assistance Grant Program.

This guide is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Subrecipient staff are encouraged to address questions or concerns regarding the subject matter in this guide or other issues to your OCJP Program Manager.

Edward Byrne Memorial Justice Assistance Grant (CFDA # 16.579): The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and place justice funds where they are needed most.

Formula

The JAG formula includes a *state allocation* consisting of a minimum base allocation with the remaining amount determined on population and Part 1 violent crime statistics, and a *direct allocation* to units of local government. Once the state allocation is calculated, 60% of the funding is awarded to the state and 40% to eligible units of local government. State allocations also have *variable pass through* requirements to locals, calculated by the Bureau of Justice Statistics (BJS) from each state's crime expenditures.

Purpose Areas

JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support and information systems for criminal justice for any one or more of the following purpose areas:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment programs
- Planning, evaluation and technology improvement programs

*Any law enforcement or justice initiative previously eligible for funding under Byrne or LLEBG is eligible for JAG funding.

CHAPTER I

BYRNE/JAG ELIGIBLE SUBRECIPIENTS

- A. **Application Process:** The Byrne/JAG application announcement routinely occurs each State fiscal year usually in the spring (March, April) Eligible Subrecipients: The intent of the Byrne/JAG Formula Grant Program is to assist units of state and local government and non-profit organizations in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system. Special emphasis is placed on multi-jurisdictional programs and on programs that advance national drug control priorities. In accordance with Section 501 of the Act, the State may award Byrne/JAG Formula Grant Program funds to state agencies, units of local government, and non-profit organizations for the following purposes:
1. Enforcing state and local laws that establish offenses similar to offenses established in the Controlled Substance Act (21 U.S.C. 801 *et seq.*).
 2. Emphasizing prevention and control of violent crime and serious offenders.
 3. Improving the functioning of the criminal justice system.

CHAPTER II

BYRNE/JAG GRANT PURPOSE/REQUIREMENTS

A. Program Purpose

The Edward Byrne/JAG Formula Grant Program is a partnership among federal, state and local governments, and non-profit organizations to create safer communities and improved criminal justice systems. The Byrne/JAG program, created by the Anti-Drug Abuse Act of 1988 (Public Law 100-690), emphasizes controlling violent and drug-related crime and serious offenders and fosters multi-jurisdictional and multi-state efforts to support national drug-control policies. This grant program provides funding for projects which assist local and state government and non-profit agencies in their efforts to reduce violent crime and illegal drug activities, improve the criminal justice system and support local, state and national priorities. The projects funded should offer a high probability of improving the functioning of the criminal justice system as they relate to the specific state/local agency. Federal funding is available for up to forty-eight (48) consecutive months. The grant project should be created in such a manner that, if successful, can be replicated by other agencies. At the conclusion of the federal grant funding, the agency is expected to continue the project with regular budgeted funds.

Formula grant funds may be used to support projects that enforce state and local laws which establish offenses similar to offenses established in the Federal Controlled Substances Act, and to improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenders. Funds may be used to provide personnel, equipment, training and technical assistance to support more widespread prevention, apprehension, prosecution, adjudication, detention, treatment and rehabilitation of offenders who violate state and local laws.

B. Program Requirements

Under the Byrne/JAG Grant Program, each state is required to develop a four-year statewide strategy for violent crime and drug control aimed at identifying available resources for activities, which are perceived to have the greatest impact on the violent crime and drug problem in the state.

In developing Tennessee's three-year statewide strategy, the Office of Criminal Justice Programs solicited input from the criminal justice community regarding program priorities. Additionally, judicial districts and state agencies submitted individual strategies. These strategies are plans from individual communities and state departments regarding their priorities for intervention. Participation in a local/state strategy process is a prerequisite for eligibility to receive funds under this grant.

At least 25 percent of the cost of the project funded must be paid in cash with nonfederal funds. These "match" funds must be in addition to funds that would otherwise be made available by the subrecipient for criminal justice.

The intent of the Byrne/JAG Formula Grant Program is to provide criminal justice assistance to state agencies, local units of government, and non-profit organizations. The Department of Justice has defined a unit of local government as a general-purpose political subdivision of a state, such as a judicial district, city or county. Grants from this program can only be awarded to such entities.

In order for law enforcement agencies to qualify for grant funds, the agency must comply with the following:

Fingerprint Reporting Requirement. The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-3-122 and will submit all fingerprints taken to the Tennessee Bureau of Investigation (TBI).

TIBRS Reporting Requirement. The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-10-101 et seq. and will submit crime statistics using the Tennessee Incident Based Reporting System (TIBRS) to the Tennessee Bureau of Investigation (TBI).

Agencies applying for Multi-jurisdictional Drug and Violent Crime Task Force grant funds must submit a Memorandum of Understanding to the Office of Criminal Justice Programs along with this application. The Memorandum of Understanding, as well as the Board of Directors, must include the participation of at least two law enforcement agencies. The Memorandum of Understanding must include:

- A list of the Drug Task Force Board of Directors along with a description of their duties.
- A detailed description of the contributions from and expectations of each of the participating Drug Task Force agencies.
- The number and type of law enforcement officer(s) from each agency participating in the Drug Task Force and the individual duties of each officer.

Agencies must also provide a separate list of all the law enforcement agencies within their respective judicial districts whether or not they are a party to the Memorandum of Understanding. These requirements are in addition to any requirements set forth in Tennessee Code Annotated, Sections 12-9-101 et seq., 6-54-307, 58-8-103 and 8-7-110.

The agency shall ensure year 2000 compliance with any contractual provisions related to computer hardware and software.

Agencies must comply with Tennessee Code Annotated, Section 37-1-403 and 37-1-605 by reporting suspected cases of child abuse to the Department of Children's Services and with Tennessee Code Annotated 71-6-103 by reporting cases of adult abuse to the Department of Human Services as required by law.

C. Program Priorities

Byrne/JAG Grant Funds may be used to implement projects that carry out at least one of six federal legislatively authorized purpose areas. In order to most efficiently utilize resources available and address the most serious gaps and service needs in Tennessee's criminal justice system, the Office of Criminal Justice Programs focuses on the most critical purpose areas and gives priority consideration to programs that fall into these federal purpose areas.

D. Program Evaluation

The Anti-Drug Abuse Act of 1988 mandates that all programs funded under the Byrne/JAG Program be evaluated. The goal is to identify and disseminate information about programs of proven effectiveness so that jurisdictions throughout the country can replicate them. In addition, evaluation results guide the formulation of policy and programs within federal, state and local criminal justice agencies.

Formula grant program applicants must include an evaluation component that meets the BJA/NIJ evaluation guidelines. OCJP will determine the program areas that may be evaluated each year. The Director of BJA may waive this requirement under certain circumstances. Each state is required to provide BJA with an annual report that includes a summary of its grant activities and an assessment of the impact of these programs on the needs identified in its statewide strategy. Formula grant funds may be used to pay for evaluation activities.

[Circulars and Common Rules](#)

CHAPTER III

BYRNE/JAG UNALLOWABLE COSTS

JAG funds cannot be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety. Based on extraordinary and exigent circumstances making the use of funds essential, OCJP may certify a state's request to use funds for:

- **Limousines**, vessels, or aircraft.
- Luxury items.
- Real estate.
- Construction projects, other than penal or correctional institutions.

CHAPTER IV BYRNE/JAG REQUIRED REPORT TIMELINES

REPORT	PERIOD COVERED	SUBMIT TO OCJP
F&A Invoice For Reimbursement (See OCJP Appendix I)	Monthly	OCJP Invoice@state.tn.us Office of Budget and Finance Monthly
Quarterly Program Income Summary (See OCJP Appendix L)	July through September October through December January through March April through June	(Assigned Program Manager at OCJP) Due 30 days after the close of the quarter.
Equipment Summary (See OCJP Appendix K)	July 1 st through June 30 th	(Assigned Program Manager at OCJP) July 31st
Byrne/JAG Annual Report (See Byrne/JAG Appendix B)	July 1 st through June 30 th	(Assigned Program Manager at OCJP) July 31st
Policy 03 Quarterly Expense and Revenue Report (Non-Profit Agencies Only) (See OCJP Appendix J)	Quarterly for Period Ending September December March June	(Janet Stewart at OCJP) Due 30 days after the close of the quarter.

CHAPTER V

BYRNE/JAG USE OF CONFIDENTIAL FUNDS

These provisions apply to all subrecipients involved in the administration of grants containing confidential funds.

Confidential funds are those monies allocated to:

- A. **Purchase of Services (P/S):** This category includes travel or transportation of a non-Federal officer or an informant; the lease of an apartment, business front, luxury-type automobiles, aircraft or boat, or similar effects to create or establish the appearance of affluence; and/or meals, beverages, entertainment, and similar expenses (including buy money and flash rolls, etc.) for undercover purposes, within reasonable limits.
- B. **Purchase of Evidence (P/E):** This category is for the purchase of evidence and/or contraband, such as narcotics and dangerous drugs, firearms, stolen property, counterfeit tax stamps, etc., required to determine the existence of a crime or to establish the identity of a participant in a crime.
- C. **Purchase of Specific Information (P/I):** This category includes the payment of monies to an informant for specific information. All other informant expenses would be classified as Purchase of Service (P/S) and charged accordingly.

These funds should only be allocated when:

The particular merits of a program/investigation warrant the expenditure of these funds. Requesting agencies are unable to obtain these funds from other sources.

Confidential funds are subject to prior approval. Such approval will be based on a finding that they are a reasonable and necessary element of project operations. In this regard, OCJP must also ensure that the controls over disbursement of confidential funds are adequate to safeguard against the misuse of such funds.

- D. **Confidential Funds Certification:** A signed certification that the project director has read, understands, and agrees to abide by these provisions is required from all projects that are involved with confidential funds from either Federal or matching funds. The signed certification must be submitted at the time of grant application.
- E. **Written Procedures:** Each project agency authorized to disburse confidential funds must develop and follow internal procedures that incorporate the following elements. Deviations from these elements must receive prior approval of OCJP.
 - 1. **Imprest Fund:** The funds authorized will be established in an imprest fund that is controlled by a bonded cashier.

2. **Advance of Funds:** The supervision of the unit to which the imprest fund is assigned must authorize all advances of funds for the purchase of information. Such authorization must specify the information to be received, the amount of expenditure, and the assumed name of informant.
3. **Informant Files:** Information files are confidential files of the true names, assumed names, and signature of all informants to whom payments of confidential expenditures have been made. To the extent possible, pictures and/or fingerprints of the information payee should also be maintained. Project Headquarters may maintain case files.
4. **Cash Receipts:**
 - a. The cashier shall receive from the agent or officer authorized to make a confidential payment a receipt for cash advancement to him/her for such purposes.
 - b. The agent or officer shall receive from the information payee a receipt for cash paid to him/her.
5. **Receipt for Purchase of Information:** An information payee receipt (Sample: Appendix **D**) shall identify the exact amount paid to and received by the information payee on the date of the transaction. Cumulative or anticipatory receipts are not permitted. Once the receipt has been completed, no alteration is allowed. The agent shall prepare an information payee receipt containing the following information:
 - a. The jurisdiction initiating the payment
 - b. A description of the information/evidence received
 - c. The amount of payment, both in numerical and word form
 - d. The date on which the payment was made
 - e. The signature of the informant payee
 - f. The signature of the case agent or officer making payment
 - g. The signature of at least one other officer witnessing the payment
 - h. The signature of the first line supervisor authorizing and certifying the payment.
6. **Review of Certification:** The signed receipt from the informant payee with a memorandum detailing the information received shall be forwarded to the agent or officer in charge. The agent or officer in charge shall compare the signatures. He/she shall also evaluate the information received in relation to the expenses incurred and his/her evaluation remarks in the report of the agency or officer who made the expenditure from the imprest fund. The certification will be witnessed by the agent or officer in charge on the basis of the report and information payee's receipt.
7. **Reporting of Funds:** Each project director shall prepare a reconciliation report on the imprest fund on a quarterly basis. Information to be included in the reconciliation report will be the assumed name of the informant given and to what

extent this information contributed to the investigation. Subrecipients shall retain the reconciliation report in their files and have available for review by OCJP or representatives of the State or OCJP upon request.

8. **Record and Audit Provision:** Each project director and member agency must maintain specific records of each confidential fund transaction. At a minimum, these records must consist of all documentation concerning the request for funds, processing (should include the review and approval/disapproval), modifications, closure or impact material, and receipts and/or other documentation necessary to justify and track all expenditures. Refer to the documentation under Information Files for a list of documents, which should be in the informant files. In projects where grant funds are used for confidential expenditures, it will be understood that all of the above records, except the true name of the informant, are subject to the record and audit provisions of OCJP and appropriate T.C.A. Statute.

F. **Information Files:**

- a) **Security:** A separate file should be established for each informant for accounting purposes. Informant files should be kept in a separate and secure storage facility, segregated from any other files, and under the exclusive control of the project director or an employee designated by him/her. The facility should be locked at all times when unattended. Access to these files should be limited to those employees who have a necessary legitimate need. An informant file should not leave the immediate area, except for review by a management official or the handling agent, and should be returned prior to the close of business hours. Sign-out logs should be kept indicating the date, information number, time in and out, and the signature of the person reviewing the file.

G. **Documentation:** Each file should include the following information:

- a. Informant Payment Record kept on top of the file. This record provides a summary of informant payments. (See Appendix D for Informant Payee Receipt Form).
- b. Informant Establishment Record, including complete identifying and locating data, plus any other documents connected with the informant's establishment.
- c. Current photograph and fingerprint card (or FBI/State Criminal Identification Number).
- d. Agreement with Cooperating Individual.
- e. Receipt for Purchase of Information.
- f. Copies of all debriefing reports (except for the Task Force case file).
- g. Copies of case initiation reports bearing on the utilization of the informant except for the Task Force case file.
- h. Copies of statements signed by the informant (unsigned copies will be place in appropriate investigative files).

- i. Any administrative correspondence pertaining to the informant, including documentation of any representations made on his behalf or any other non-monetary considerations furnished.
- j. Any deactivation report or declaration of an unsatisfactory informant.

H. Accounting and Control Procedures: Special accounting and control procedures should govern the use and handling of confidential expenditures, as described below:

1. It is important that expenditures which conceptually should be charged to Purchase of Evidence (PE), Purchase of Specific Information (PI), or Purchase of Service (PS) are in fact so charged. It is only in this manner that these funds may be properly managed at all levels and accurate forecasts of projected needs can be made.
2. Each law enforcement entity should apportion its PE/PI/PS allowances throughout its jurisdiction and delegate authority to approve PE/PI/PS expenditures to those offices, as it deems appropriate.
3. Task Force management should establish guidelines authorizing offices to spend up to a predetermined limit of their total allowance on any one investigation.
4. In excising his/her authority to approve these expenditures, the Task Force Director or designee should consider:
 - a. The significance of the investigation;
 - b. The need for this expenditure to further that investigation; and Anticipated expenditures in other investigations. Funds for PE/PI/PS expenditures should be advanced to the officer for a specific purpose. If they are not expended for that purpose, they should be returned to the cashier. They should not be used for another purpose without first returning them and repeating the authorization and advance process based on the new purpose.
5. Funds for PE/PI/PS expenditure should be advanced to the officer on a suitable receipt form. A receipt for purchase of information or a voucher for purchase of evidence should be completed to document funds used in the purchase of evidence or funds paid or advanced to an informant.

For security purposes, there should be a 48-hour limit on the amount of time funds advanced for PE/PI/PS expenditure may be held outstanding. If it becomes apparent at any point within the 48-hour period that the expenditure will not materialize, then the funds should be returned to the advancing cashier as soon as possible. The level of management that approved the advance may grant an extension to the 48-hour limit. Factors to consider in granting such an extension are the amount of funds involved, the degree of security under which the funds are being held, how long an extension is required, and the significance of the

expenditure. Such extensions should be limited to 48 hours. Beyond this, the funds should be returned and re-advanced, if necessary. Regardless of circumstances, within 48 hours of the advance, the fund cashier should be presented with either the unexpended funds, an executed voucher for payment for information or purchase of evidence, or written notification by management that an extension has been granted.

Purchase of Services (P/S) expenditures, when not endangering the safety of the officer or informant, need to be supported by canceled tickets, receipts, lease agreements, etc. If not available, the Task Force Director, or his/her immediate subordinate, must certify that the expenditures were necessary and justify why supporting documents were not obtained .

For confidential funds sample receipt see Byrne/JAG [Appendix D](#)

CHAPTER VI

BYRNE/JAG VICTIM WITNESS COORDINATOR PROGRAM

This chapter is to serve as reference for the financial and programmatic requirements/responsibilities of projects funded through the Byrne/JAG Victim-Witness Coordinator Grant. It is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Each project is encouraged to address questions or concerns regarding the subject matter in this guide or other issues to your OCJP Program Manager.

A. Victim-Witness Coordinator (T.C.A. 8-7-206)

- T.C.A. code established the creation of Victim Witness Coordinators. This created in each judicial district the position of Victim Witness Coordinator to be appointed by the District Attorney General. The duties of the Coordinator shall include:
- Keeping victims and witness informed of court dates and actions affecting their cases, including preliminary hearings, evidentiary hearings, trial dates, and sentencing hearings;
- Assisting victims and witnesses to better understand the way the criminal justice system works, including the procedure and basis for continuances of cases and the procedure involved in the plea bargaining process;
- Assisting victims to become more involved in the processes which affect the perpetrator of the crime, such as the plea bargaining process and the sentencing process, including pre-sentence reports and the sentencing hearing itself;
- Informing victims and witnesses of scheduled actions affecting the state of appropriate inmates, including notification of any Department of Correction decision permitting such inmate's release into the community, or any scheduled hearing by the Board of Paroles concerning the possible parole or executive clemency of such inmate;
- Assisting in obtaining restitution of victims of crime directly for the perpetrator of the crime when possible; and
- Assisting eligible victims in obtaining benefits from the criminal injuries compensation program.

B. Reporting Requirements

All subrecipients are responsible for periodic reporting of data on their projects to OCJP. These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies and implementation plans, assist OCJP in determining project success and funding allocations, request reimbursement or close out a grant. Examples of each form are provided in the Byrne/JAG Appendices. Forms may be reproduced locally, but should maintain the original format and content.

NOTE: Each project is required to gather and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted in annual reports. OCJP may

periodically request to see the back-up data that supports the information submitted on your annual output and outcome reports.

1. **Project Requirements:** Each project is responsible for periodic reporting of output and outcome data on their projects to OCJP. Reporting requirements for each project include:

- Annual Outcome Report (online to OCJP)
- Annual Community and/or Collaborator Survey Report (online to OCJP)
- Annual Output Report (online to OCJP)
- Annual Projected Output Report (online to OCJP)
- Income Summary Report (to OCJP)
- Project Equipment Summary Report if equipment purchased (to OCJP)

Each project is responsible for timely submission of the following program reports:

- a. **Annual Outcome Reporting:** Outcome reporting is required at the end of each contract year. The Annual Outcome Report covers the period July 1st through June 30th. The report will be available through our website at <http://www.state.tn.us/finance/rds/ocjp.htm> and should be submitted to OCJP by **July 31st**. See Byrne/Jag Appendix F for sample Victim Surveys.
- b. **Annual Community and/or Collaborator Survey Report (as required based on your program type):** Outcome reporting is required at the end of each contract year. The Annual Community and/or Collaborator Report covers the period July 1st through June 30th. The report will be available through our website at <http://www.state.tn.us/finance/rds/ocjp.htm> and should be submitted to OCJP by **July 31st**. See Byrne/JAG Appendix F for sample Community and Collaborator Surveys.
- c. **Annual Output Report:** Output reporting is required at the end of each contract year. The Annual Output Report covers the period July 1st through June 30th. The report will be available through our website at <http://www.state.tn.us/finance/rds/ocjp.htm> and should be submitted to OCJP by **July 31st**. See Byrne/JAG Appendix H for a sample Output Report.
- d. **Annual Projected Output Report:** Each project is required to submit specific grant performance projected data. The report will be available through our website at <http://www.state.tn.us/finance/rds/ocjp.htm> and should be submitted to OCJP by **July 31st**. See [Byrne/JAG Appendix I](#) for a sample Output Projection Report.
- e. **Income Summary Report:** This report form is completed on a quarterly basis if program income is generated as a direct result of an agency-funded activity. It is due thirty (30) days after the close of each quarter. All income generated as a direct result of an agency funded project shall be

deemed program income and reported via the use of this form. **If no program income is generated, this report may be submitted annually to the OCJP Program Manager no later than July 31st.** (See [OCJP Appendix L](#) -Quarterly Program Income Report)

- f. **Project Equipment Summary Report:** This report is completed on an annual basis, **if equipment is purchased with grant funds during the current fiscal year.** It is due to OCJP no later than **July 31st.** For multi-year projects, the Project Equipment Report should specifically identify any purchases that have been made for equipment, either totally or in part with grant money, since the last fiscal year. (See [OCJP Appendix K](#) - Project Equipment Summary Report).

NOTE: Subrecipient programs are not required to use client surveys to collect required core outcome data , but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale (Strongly Agree to Strongly Disagree) for all client feedback and satisfaction data. Subrecipients should not change the substance of the core outcome measures. Subrecipient agencies may also choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observation, etc.

NOTE: Data based on staff observations should be submitted as supplemental information and NOT included with client feedback data.

Data may be collected on the required satisfaction measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. See VWC [Appendix J](#) Rules/Guidelines for OCJP Required Data Collection.

[Please click here for OCJP Reports \(OCJP Chapter VII\).](#)

BYRNE/JAG VICTIM WITNESS COORDINATOR PROGRAM REPORTING TIMELINES

REPORT	PERIOD COVERED	SUBMIT TO / DUE DATE
Annual Outcome Report	July 1 to June 30	Online to OCJP July 31
Annual Community and/or Collaborator Survey Report	July 1 to June 30	Online to OCJP July 31
Annual Output Report	July 1 to June 30	OCJP Program Manager July 31
Annual <u>Projected</u> Output Report	July 1 to June 30	OCJP Program Manager July 31
Department of Finance & Administration Journal Voucher for Reimbursement	Current month	Online to Office of Business & Finance Monthly Error! Bookmark not defined. Or Department of Finance & Admin. 20 th Floor Tennessee Tower 312 8 th Ave. North Nashville, TN 37243
Quarterly/ Annual** Program Income Summary	July – September October – December January – March April – June July - June**	OCJP Program Manager October 15 January 15 April 15 July 31 July 31**
Project Equipment Summary	July 1 to June 30	OCJP Program Manager July 31

****If program income is not generated, the report may be submitted annually by July 31st instead of quarterly.**

CHAPTER VII

BYRNE/JAG

PERFORMANCE MEASUREMENT AND DECISION-MAKING

A. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.
2. OCJP is interested in subrecipient agencies improving performance as well as quantifying their effort. It has been demonstrated that agencies that want to survive and flourish must make significant efforts to continually improve performance and to be able to prove it with verifiable measurements.
3. Although output data is important and will continue to be collected, used and submitted to our federal funders, outcome data has provided us with additional information related to the results of agency efforts on the clients the OCJP/subrecipient partnership serves. Outcome information describes some change in the participant's condition and establishes the benefits of the funding in measurable terms.
4. We recognize that there are basically three reasons for attending to client outcomes:
 - a. To Improve Program Performance - Agencies exist to help clients find better lives. Agencies want clients safer, more informed, aware of their options and exercising better judgment. Subrecipient agencies need solid information about how well their clients are doing in order to continue improving the quality of their programs.
 - (b) OCJP and other funding sources must be in a position to make funding decisions:

- When funds are available, funding agencies need information on results to decide which service models to support.
- When funds are limited, funding agencies must be able to direct limited resources toward approaches known to work.

(c) To Meet Federal Reporting Requirements.

5. Performance data can be used to monitor and measure individual program performance or aggregated by project type, the state and/or fund source.
6. OCJP will continue to expect programs to use the logic model to describe how their grant-funded project theoretically works to benefit the target group. OCJP will also continue to collect and use output and outcome information as we manage our federal grants.
7. The data collected and reported by Tennessee subrecipients answer three questions:
 1. OUTPUTS - What are we doing?
 2. SATISFACTION - How well are we doing it?
 3. OUTCOMES - How is the client doing?
8. OCJP does not collect information with which to compare one program or project with another. However OCJP publishes data on our website by which any agency can compare their own data with data reported by like projects.

B. OCJP Decision-Making

1. OCJP conducts Performance Management Reviews (PMR) of each subrecipient contract annually. The performance review process consists of a detailed weighing system that provides a historical perspective of past and present subrecipient performance.
2. The PMR consists of the following criteria, based on a 100 point scale: (See [Appendix G](#))
 - a. Integrity of Program Design – the logic model description of the program. (15%)
 - b. Reporting History – compliance with output and outcome reporting requirements. (15%)
 - c. Program Performance – considering compliance with victim and community/collaborator outcome measurement requirements; notification to OCJP of pertinent changes; history of spending; program manual understanding and overall program effectiveness. (50%)

- d. Contract Monitoring – ratings will examine program and fiscal findings. (20%) **or**
Fiscal Monitoring – if agency not monitored during the year (20%).
- 3. OCJP will make funding/allocation decisions based on:
 - a. Performance Management Review Ratings
 - b. The funding priorities and requirements of the funding source
 - c. Ensuring that funds are allocated across the state in a defensible and equitable manner.

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FAMILY VIOLENCE SHELTER & SHELTER SERVICES PROGRAM INTRODUCTION

The purpose of this guide is to give Family Violence Shelter and Shelter Services subrecipients a brief outline of the program and financial requirements/responsibilities involved with receiving federal Health and Human Services Grant funds and State Family Violence Shelter and Shelter Services allocations. This guide is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Subrecipient staff are encouraged to address questions or concerns regarding the subject matter in this guide or other issues to your OCJP Program Manager.

Authorized through Public Chapter 930, the Family Violence Shelter and Shelter Services Program became effective July 1, 1984. This law allowed the Department of Human Services to establish a program providing shelter and shelter services to victims of family violence and their dependents. In 1986, the Department also received funds from the Department of Health and Human Services, Family Violence Prevention and Services Act (FVPSA). Both funding sources are used to fund family violence shelter and shelter services.

In July 1998 the Family Violence Shelter and Shelter Services Program was transferred to the Department of Finance and Administration, in the Office of Criminal Justice Programs, and was designated as the state agency responsible for administering this grant program. This consolidation was made to provide a more coordinated approach in planning and allocation of federal and state funds and to more efficiently manage services to victims in Tennessee.

OCJP grants awarded under the Family Violence Shelter and Shelter Services grant program are governed by the provisions of the Office of Management and Budget (OMB) circulars applicable to financial assistance. These circulars, along with additional information and guidance, are contained in the OCJP Administrative Guide for the Family Violence Shelter and Shelter Services Grant Program available from the Office of Criminal Justice Programs upon award of grant funds. This policy manual provides information on allowed costs, methods of payment, audit requirements, accounting systems and financial records.

This Guide incorporates by reference the provisions of the Office of Management and Budget (OMB) circulars and government-wide common rules applicable to grants and cooperative agreements. These circulars and common rules include the following:

NOTE: DHHS, Family Violence Prevention and Services Act (CFDA # 93.671)

[Circulars and Common Rules](#)

CHAPTER I

ELIGIBLE SUBRECIPIENTS

A. PROGRAM REQUIREMENTS

Agencies applying for state and/or federal funding must meet the following criteria:

1. Agencies must be local public and non-profit organizations (including faith-based and community organizations).
2. Agencies must provide documentation that they have provided shelter or shelter services for at least six (6) months prior to the application for funds, and that the funds provided will enable them to establish or maintain a shelter exclusively for victims of family violence within a defined timetable.
3. Agencies must have established policies and procedures for maintaining the safety and confidentiality of the adult victims and their children of domestic violence, sexual assault, and stalking.
4. Programs must comply with Family Violence Shelter Performance Standards [FVS Appendix H](#).
5. Programs must comply with Chapter 21 of the Life Safety Code (Fire Standards) and with all other applicable health and safety codes.
6. Agencies must comply with Tennessee Code Annotated, Section 31-1-403 and 37-1-605 by reporting suspected cases of child abuse to the Department of Children's Services and with Tennessee Code Annotated 71-6-103 by reporting cases of adult abuse to the Department of Human Services as required by law.

B. Eligible Population

Any individual who fears imminent physical harm by threat of force and who customarily resides in a household with the perpetrator is eligible for service. The victim's dependent children are also eligible for services.

CHAPTER II

FAMILY VIOLENCE PROGRAM PURPOSE & REQUIREMENTS

A. PROGRAM PURPOSE

The purpose of the Family Violence Shelter and Shelter Services Program is to assist nonprofit organizations and faith-based organizations in supporting the establishment, maintenance, and expansion of programs and projects to prevent incidents of family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents.

B. PROGRAM REQUIREMENTS

1. **Client Record Documentation:** Client records must reflect the range of services provided to the victim including services provided to children, other dependents and the perpetrator. Client record documentation is defined in the Standards. Performance Standards for Family Violence Shelter and Shelter Services are included as [FVS Appendix H](#).

2. **Confidentiality of Client Files:** The identities of clients served in victim service agencies are to be protected. Subrecipients may not disclose any personally identifying information about victims served with state and /or federal funds unless there is a:

- Written release
- Court order
- Statutory requirement

The agency's confidentiality policy must encompass all clients contacting the agency for service, regardless of whether they ever receive services from the agency. No personally identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, sexual assault, or stalking, including

- a first and last name
- a home or other physical address
- contact information (including a postal, e-mail or Internet protocol address, or telephone or fax number)
- a social security number; and
- any other information including date of birth, racial or ethnic background or religious affiliation, that in combination with any subparagraphs (1) through (5) would serve to identify any individual

Clients receiving supportive services as a non-residential client and those contacting the crisis line are also included under the confidentiality policy. Clients participating in support group should not be required to sign-in at group sessions but documentations should be maintained on the number of participants with the dates and times of group sessions.

3. **Release of Information:** The agency must have in place procedures regarding the disclosure of personally identifying information, confidentiality, information sharing, and compulsory release of information for all victims and their children. The “Release” needs to be written, informed, and reasonably time-limited.

Information should never be released or shared with another individual or agency without the signed release by the client. The client should sign releases unless the client is an unemancipated minor or a person with disabilities. In the case of a minor, the minor and a parent or guardian should sign the release; in the case of a person with disabilities, a legally appointed guardian should do it. The abuser of the minor or person with disabilities or the abuser of the other parent of the minor may not give consent.

The victim success stories that are reported to OCJP must not reflect the true names of the victims. Notation should be made at the end of the story that the names are fictitious. [Release of Information](#)

4. Parent’s Medical Release Form for child (ren) is required when applicable.
5. Client Grievance Procedure is required for all clients receiving direct services.
6. Documentation of victim eligibility must be on file.
7. Agency Documentation: Performance Standards for Family Violence Shelter and Shelter Services requires agencies to provide twenty-four hour access to telephone crisis hotline and community education as core components. Documentation for these services may be maintained in a central record following these guidelines.
 - a. Twenty-Four Hour Telephone Hotline: Agencies should have a written plan showing how hotlines will be covered, describe the period of coverage for each responsible person and provide for backup coverage in the case of an emergency. In addition to the plan for telephone coverage, the agency must keep statistical records on the number of calls received. **For confidentiality purposes the names of victims calling the hotline must not be identifiable. Agencies should establish their own system to be able to track how many times a victim contacts the hotline.**
 - b. Community Education: The central record should include documentation that explains how the educational activities were delivered. Documentation must identify date(s) and person(s) conducting training activities, topics covered, number of individuals who participated, types of materials disseminated, and persons referred for direct services. Any

public speaking, media messages, or public awareness campaigns must be documented.

8. **Record Keeping:** The subrecipient must establish and maintain program records that ensure project activities are in compliance with the approved project narrative. Such records must be readily available for review.

C. PROGRAM PRIORITIES

The priorities of the Family Violence Shelter and Shelter Services grant are to meet the needs of victims by providing emergency shelter and related services to victims and their **children**. Additionally meeting the needs of the “underserved populations” including populations underserved because of **geographic location (such as rural isolation), underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age)** continues to be a priority for Family Violence Shelter and Shelter Services.

CHAPTER III

FVS REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting of output and outcome data on their projects to OCJP. Reporting requirements for Family Violence Shelter subrecipients include **an Annual Output and Outcome Report**, Policy 03 Quarterly Expense and Revenue Report, and Invoice for Reimbursement Reports. These reports are used to monitor projects, fulfill federal and grant reporting requirements, provide information for state strategies and implementation plans, and to assist OCJP in determining project success and funding allocations. An example of the Family Violence Reporting Form is provided in the [FVS Appendix B](#).

NOTE: The FVS Reporting Form is to be used by the subrecipient as an internal tool for the collection and reporting of data to OCJP on the annual output report. Some minor changes have been made to the FVS Reporting Form due to additional data requested by the DHHS, Family Violence Prevention and Services Act (FVPSA). The Report is not to be submitted to OCJP.

{NOTE:} The subrecipient is required to collect and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted on the annual reports. OCJP may periodically request to see back-up data that supports the information submitted on both your annual output and outcome reports. **The online report for the submission of the annual outcome and output data will be available on OCJP's website July 15 or the next business day.**

The Project Director is responsible for timely submission of completed program and fiscal reports. **Note: Inability to submit required reports is considered failure of a required contract obligation.**

- A. **Annual Output Reporting:** Project Directors will submit a completed FVS Annual Output Report on their FVS projects for the period **July 1st through June 30th**. Reports describe in output data progress for the 12 months of the project period. This report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> **on July 15 or the next business day and should be submitted by July 31st.**
- B. **Annual Outcome Reporting:** Outcome reporting is required of all subrecipients at year end. The Annual Outcome Reports covers the period **July 1st through June 30th**. Outcomes are benefits resulting for the participants from the program activities. OCJP is interested in collecting project outcome data based on the “core outcomes” by project type. The Annual Outcome Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> **on July 15 or the next business day** and should be submitted to OCJP by July 31st. Core Outcome Indicators and Recommended Measures are included in [FVS Appendix E](#). The Domestic Violence Sample Client Satisfaction Survey is included in [FVS Appendix F](#).

- C. **Community and/or Collaboration Surveys** (as required based on your program type) cover the period **July 1st through June 30th**. The Community and Collaborator Survey Reports should be reported annually to OCJP by July 31st. See [FVS Appendix F](#)

NOTE: Subrecipient are not required to use client surveys to collect required **core outcome data**, but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale (Strongly Agree, to Strongly Disagree) for all client feedback and satisfaction data. Subrecipients should not change the substance of the core outcome measures. Subrecipient agencies may also choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observations, etc. **NOTE: Data based on staff observations should be submitted as supplemental and NOT included with client feedback data.**

Data may be collected on the required **satisfaction** measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. See **Appendix J, Rules/Guidelines for OCJP Required Data Collection.**

- D. **Projected Output Report:** Projecting outputs is a requirement of all subrecipients at the beginning of each contract year. Subrecipients are asked to project the number of outputs to be achieved during the upcoming contract year. Projected output reports should be submitted by July 31st for the upcoming contract period July – June. The data will assist OCJP in evaluating the planned versus actual activities funded through the grant.

- E. **Family Violence Prevention Services Act Report:** As a requirement of the Department of Health and Human Services, Family Violence Prevention Services Act (FVPSA), OCJP is now required to include in the federal annual report the following narrative questions from subrecipients:

- 1) Share a success story about a client, service or community initiative.
- 2) Describe the unique needs of under-served populations in your community, including populations under-served because of ethnic, racial, cultural, language diversity or geographic isolation, and how those needs were addressed.
- 3) Describe significant prevention activities supported during the program year.

These narrative questions will be submitted to OCJP separately from the annual outcome and output data that is reported on line. These reports are mandatory and should be submitted electronically to your program manager by October 15.

FVS REPORTS

Name of Report	Dates Covered	Date Due	Person Sent To
1. Annual Outcome Reporting	July 1 – June 30	July 31	Submitted as on-line report
2. Annual Output Reporting	July 1 – June 30	July 31	Submitted as on-line report
3. Annual Output Projection Report	July 1- June 30	July 31	Submitted as on-line report
4. Policy 03 Quarterly Expense and Revenue Report (Non-profit Agencies only)	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-31 2 nd Quarter/1-31 3 rd Quarter/4-30 4 th Quarter/7-31	Janet Stewart Office of Criminal Justice Programs Department of Finance & Administration 312 8 th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, Tennessee 37243-1700 Janet.Stewart@state.tn.us
5. Tennessee Department of Finance & Administration Invoice for Reimbursement	Prior Month	Monthly	Office of Business & Finance Department of Finance & Administration 20 th Floor Tennessee Tower 312 8 th Avenue North William R. Snodgrass TN Tower Nashville, Tennessee 37243 OCJP_INVOICE@state.tn.us
6. Project Equipment Summary Report –if applicable	Current fiscal year	30 days past the end of the State fiscal year (July 31)	Program Manager Office of Criminal Justice Programs 312 8 th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, Tennessee 37243-1700
7. Family Violence Prevention Services Act Report	July 1 – June 30	October 15	Program Manager Office of Criminal Justice Programs 312 8 th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, Tennessee 37243-1700

CHAPTER IV FVS PUBLICATION

A. Definition:

Publication shall be construed as the initiation of the procurement of writing, editing, preparation of related illustration material, including videos, from subrecipients, or the internal printing requirements of the subrecipient necessary for compliance with the terms of the project. However, individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty a single copy of any such article for their own use.

B. Upon Publication of Documents:

Project Directors are encouraged to make the results and accomplishments of their activities available to the public. A subrecipient who publicizes project activities and results shall adhere to the following:

1. Responsibility for the direction of the project should not be ascribed to the Department of Health and Human Services or the Tennessee Office of Criminal Justice Programs.
2. All reports, studies, notices, informational pamphlets, press releases, signs, and similar public notices (written, visual or sound) prepared and released by the Grantee shall include the statement, **“This project is funded under an agreement with the State of Tennessee, Department of Finance and Administration, Office of Criminal Justice Programs and is supported through funding awarded by the Department of Health and Human Services, DHHS.”** Additionally, studies and research/report type publications expressing the direction of project activity must **also** contain the following federal funding statement:

“The opinions, findings, conclusions or recommendations contained within this document are those of the author and do not necessarily reflect the views of the Department of Health and Human Services”.

In addition, statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

3. A recipient/subrecipient is expected to publish or otherwise make widely available to the public, as requested by OCJP, the results of work conducted or produced under an award.
4. The subrecipient also agrees that one copy of any such publication will be submitted to the Office of Criminal Justice Programs of the Department of Finance and Administration to be placed on file and distributed as appropriate to other potential subrecipients or interested parties.
5. All publications and distribution agreements with a publisher will include provisions giving the Federal government a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use for Federal government purposes. [\(Refer to Copyrights section of Chapter 6 of the U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide.\)](#)
6. Unless otherwise specified in the award, the subrecipient may copyright any books, publications, films, or other copyrightable material developed or purchased as a result of award activities. Copyrighted material shall be subject to the same provisions of the federal government.
7. The subrecipient shall submit a publication and distribution plan to the OCJP before materials developed under an award are commercially published or distributed. The plan shall include a description of the materials, the rationale for commercial publication and distribution, the criteria to be used in the selection of a publisher, and, to assure reasonable competition, the identification of firms that will be approached. Prior OCJP approval of this plan is required for publishing project activities and results when Federal funds are used to pay for the publication.

CHAPTER V

FVS PERFORMANCE MEASUREMENT & DECISION MAKING

A. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.
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7. The data collected and reported by Tennessee subrecipients answer three questions:

OUTPUTS -	What are we doing?
SATISFACTION -	How well are we doing it?
OUTCOMES -	How is the client doing?
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 - (d) Contract Monitoring – ratings will examine program and fiscal findings. (20%)

3. OCJP will make funding/allocation decisions based on:
 - (a) Performance Management Review Ratings
 - (b) The funding priorities and requirements of the funding source
 - (c) Ensuring that funds are allocated across the state in a defensible and equitable manner.

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GOVERNOR'S METHAMPHETAMINE INITIATIVE

INTRODUCTION

Methamphetamine use and production have placed a great strain on social services agencies and have created major problems for families throughout Tennessee. The use and production of methamphetamines is an ongoing problem. Methamphetamine is an addictive stimulant affecting the central nervous system. Tennessee accounts for 75% of the methamphetamine lab seizures in the Southeast.

Methamphetamine manufacturing has added a new casualty to the long list of victims caught in the chaos of drug abuse. In increasing numbers, children of methamphetamine producers have become victimized by their parents' illegal manufacture and use of this substance. These parents neglect their children's development and place them in hazardous living conditions that can cause serious health problems, even death. They are exposed to immediate dangers and to the ongoing effects of chemical contamination. In addition, the child may be subjected to fires and explosions, abuse and neglect, a hazardous lifestyle, social problems, and other risks.

The Tennessee Department of Children's Services estimates that more than 700 children are placed in state custody each year as a result of methamphetamine lab seizures and incidents. Particularly at risk are infants and toddlers living in homes where toxic emissions and residue settle on floors and furniture. Children living in these conditions are at increased risk for severe neglect and are more likely to be abused by family members and others at the site. They may experience the added trauma of witnessing violence or watching the police arrests their parent. Without effective intervention, many will imitate their parents and caretakers when they become adults, engaging in criminal or violent behavior.

CHAPTER I

GOVERNOR'S METHAMPHETAMINE INITIATIVE

ELIGIBLE SUBRECIPIENTS

I. ELIGIBLE PROGRAMS

Priority will be given to Child Advocacy Centers experiencing the highest number of methamphetamine lab seizures per capita. Children Advocacy Centers are child friendly multidisciplinary programs that allow professionals from child protective services, law enforcement, criminal justice, victim advocacy agencies, and the medical and mental health communities to work in a collaborative way to better serve children who have been victimized. The goal of a Child Advocacy Center is to ensure that children are not re-victimized by the very system designed to protect them.

Child Advocacy Centers successful in receiving dollars allocated in the Governor's Meth-Free Tennessee Grant Initiative for Child Advocacy Centers will be organized around the following core outcome indicators:

- Victims experience a decrease in the frequency and/or intensity of abuse-related symptoms.
- Victims experience increased safety.
- Victims experience empowerment.
- Victims recognize agency support of client.
- Victims report that they have identified a victim support system.
- Victims know how to access available resources.
- Shelters, law enforcement, legal services, health care, schools, prosecutors and other community agencies report improved working relationships with the agency on victim services matters.
- Victims express satisfaction with services.

CHAPTER II

GOVERNOR'S METHAMPHETAMINE INITIATIVE PROGRAM PURPOSE AND REQUIREMENTS

I. PROGRAM PURPOSE

The Governor's Meth-Free Tennessee Initiative for Child Advocacy Centers shall be used to fund contracts to Child Advocacy Centers to support their services to drug exposed children. A Family Advocate will provide client services to drug endangered children and their families in a child friendly environment. This initiative will put services in place to respond to the methamphetamine epidemic in Tennessee and is part of the Governor's Methamphetamine Initiative designed to respond to the epidemic.

II. PROGRAM REQUIREMENTS

The Governor's Meth-Free Tennessee Child Advocacy Center Grant Initiative shall be used to support the cost of training, personnel, travel, and operational expenses relating to the client services provided to drug exposed children in Tennessee and their families. Child Advocacy Centers receiving funds to provide these client services must be able to demonstrate a record of providing effective services to child victims and non-offending parents.

CHAPTER III

GOVERNOR'S METHAMPHETAMINE INITIATIVE REPORTING REQUIREMENTS

Child Advocacy Centers must adhere to all reporting requirements and timelines for submitting the required reports.

- A. Semi-Annual Outcome Report
- B. OCJP GMI Quarterly Output Report
- C. Annual Outcome Reporting
- D. Projected Output Report

These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies, assist OCJP in determining project success and funding allocations, and initiate monthly payments to the GMI subrecipient. Examples of each form are provided in [GMI Appendix A](#). Forms may be reproduced locally, but should maintain the original format and content.

The subrecipient is required to gather and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted on the semi-annual and annual reports. OCJP may periodically request to see the back-up data that supports the information submitted on your semi-annual and annual output and outcome reports.

The Project Director is responsible for timely submission of completed program and fiscal reports. Note: Inability to submit required reports in a timely fashion is considered failure of a required contract obligation.

- A. OCJP GMI Annual Output Report:** The Annual Output Report is required at the end of each contract year and covers the period of July 1st through June 30th of the fiscal year for which the report is submitted. The Annual Output Report should be submitted to OCJP by July 31st. It will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> on July 15 or the next following business day. [See GMI Appendix A](#)
- B. Annual Outcome Reporting:** The Annual Outcome Report is required at the end of each contract year and covers the period of July 1st through June 30th of the fiscal year for which the report is submitted. The Annual Outcome Report should be submitted to OCJP by July 31st. It will be available on our website at <http://www.state.tn.us/finance/ocjp/htm> on July 15 or the next following business day.
- C. Community and/or Collaborator Surveys** (as required based on your program type) cover the period July 1-June 30. The Annual Outcome Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> on July 15 or the next following business day.

The Community and/or Collaborator Survey Reports should be reported annually to OCJP by July 31. (See [GMI Appendix E](#) for Sample Victim/Community/Collaborator Surveys).

NOTE: Subrecipient programs are not required to use client surveys to collect required core outcome data, but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale (Strongly Agree to Strongly Disagree) for all client feedback and satisfaction data. Subrecipients should not change the substance of the core outcome measures. Subrecipient agencies may choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observation, etc. Data based on staff observations should be submitted as supplemental and NOT mixed with client feedback data.

Data may be collected on the required satisfaction measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. [See Appendix G Rules/Guidelines for OCJP Required Data Collection.](#)

- D. Projected Outcome Report:** Projecting outputs is a requirement of all subrecipients at the beginning of each contract year. Subrecipients are asked to project the number of outputs to be achieved during the upcoming contract year. Projected output reports should be submitted by July 31st for the upcoming contract period July – June. The data will assist OCJP in evaluating the planned versus actual activities funded through the grant. The Projected Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> by July 15 or the next following business day.

GMI REPORTING SCHEDULE

Name of Report	Dates Covered	Date Due	Person Sent To
A. OCJP GMI Annual Output Report	July 1 – June 30	July 31	SUBMITTED AS AN ONLINE REPORT
B. Annual Outcome Reporting	January 1-June 30	July 31st	SUBMITTED AS AN ONLINE REPORT
C. Projected Output Report	Upcoming Contract Period July to June	July 31 st	SUBMITTED AS AN ONLINE REPORT
D. Policy 03 Quarterly Expense and Revenue Report (Non Profit Agencies Only)	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-31 2 nd Quarter/1-31 3 rd Quarter/4-30 4 th Quarter/7-31	Janet Stewart Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 Janet.Stewart@state.tn.us
E. Tennessee Department of Finance & Administration Invoice for Reimbursement	Prior Month	Monthly	Office of Business & Finance Department of Finance and Administration 20 th Floor Tennessee Tower 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 OCJP INVOICE@state.tn.us
F. Project Equipment Summary Report (If applicable)	Current Fiscal Year	30 days past the end of the State fiscal year (July 31)	Program Manager Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700
G. OCJP Quarterly Program Income Summary Report (Government Agencies only) (If applicable)	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-31 2 nd Quarter/1-31 3 rd Quarter/4-30 4 th Quarter/7-31	Janet Stewart Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 Janet.Stewart@state.tn.us

PLEASE PAY CLOSE ATTENTION TO THE LAST COLUMN AND SEND REPORTS TO THE PERSON LISTED.

CHAPTER IV GOVERNOR'S METHAMPHETAMINE INITIATIVE ALLOWABLE COSTS

Allowable costs are those cost principles identified in [OMB Circular A-87](#) for State and local Government, [OMB Circular A-122](#) for Non-Profit Organizations, and in the grant program's authorizing legislation. In addition, costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements.

Funds allocated through the Governor's Meth-Free Tennessee Grant Initiative for Child Advocacy Centers will be used to provide services to drug exposed children and their non offending family members. Allowable costs include

- staff training
- travel
- personnel expenses
- operational expenses

See OCJP Administrative Manual, [Chapter XIV](#)-Allowable Costs

CHAPTER V
GOVERNOR'S METHAMPHETAMINE INITIATIVE
UNALLOWABLE COSTS

See OCJP Administrative Manual, [Chapter XV](#)-Unallowable Costs

CHAPTER VI

GOVERNOR'S METHAMPHETAMINE INITIATIVE PERFORMANCE MEASUREMENT AND DECISION MAKING

A. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.
2. OCJP is interested in subrecipient agencies improving performance as well as quantifying their effort. It has been demonstrated that agencies that want to survive and flourish must make significant efforts to continually improve performance and to be able to prove it with verifiable measurements.
3. Although output data is important and will continue to be collected, used and submitted to our federal funders, outcome data has provided us with additional information related to the results of agency efforts on the clients the OCJP/subrecipient partnership serves. Outcome information describes some change in the participant's condition and establishes the benefits of the funding in measurable terms.
4. We recognize that there are basically three reasons for attending to client outcomes:
 - (a) To Improve Program Performance - Agencies exist to help clients find better lives. Agencies want clients safer, more informed, aware of their options and exercising better judgment. Subrecipient agencies need solid information about how well their clients are doing in order to continue improving the quality of their programs.
 - (b) OCJP and other funding sources must be in a position to make funding decisions:
 - When funds are available, funding agencies need information on results to decide which service models to support.
 - When funds are limited, funding agencies must be able to direct limited resources toward approaches known to work.
 - (c) To Meet Federal Reporting Requirements.

5. Performance data can be used to monitor and measure individual program performance or aggregated by project type, the state and/or fund source.
6. OCJP will continue to expect programs to use the logic model to describe how their grant-funded project theoretically works to benefit the target group. OCJP will also continue to collect and use output and outcome information as we manage our federal grants.
7. The data collected and reported by Tennessee subrecipients answer three questions:
 4. **OUTPUTS** - What are we doing?
 5. **SATISFACTION** - How well are we doing it?
 6. **OUTCOMES** - How is the client doing?
8. OCJP does not collect information with which to compare one program or project with another. However OCJP publishes data on our website by which any agency can compare their own data with data reported by like projects.

B. **OCJP Decision-Making**

1. OCJP conducts Performance Management Reviews (PMR) of each subrecipient contract annually. The performance review process consists of a detailed weighing system that provides a historical perspective of past and present subrecipient performance.
2. The PMR consists of the following criteria, based on a 100 point scale: (See [Appendix G](#))
 - (a) **Integrity of Program Design** – the logic model description of the program. (15%)
 - (b) **Reporting History** – compliance with output and outcome reporting requirements. (15%)
 - (c) **Program Performance** – considering compliance with victim and community/collaborator outcome measurement requirements; notification to OCJP of pertinent changes; history of spending; program manual understanding and overall program effectiveness. (50%)
 - (d) **Contract Monitoring** – ratings will examine program and fiscal findings. (20%)
3. OCJP will make funding/allocation decisions based on:
 - (a) Performance Management Review Ratings
 - (b) The funding priorities and requirements of the funding source
 - (c) Ensuring that funds are allocated across the state in a defensible and equitable manner.

RESIDENTIAL SUBSTANCE ABUSE TREATMENT GRANT TABLE OF CONTENTS

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RESIDENTIAL SUBSTANCE ABUSE TREATMENT INTRODUCTION

This document is provided for use by all subrecipient staff receiving federal grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Residential Substance Abuse Treatment Program for State Prisoners (RSAT) administered by the Tennessee Office of Criminal Justice Programs (OCJP). This Guide is to serve as reference for the financial and programmatic requirements/responsibilities of projects funded through the RSAT Program.

This guide is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Subrecipient staff are encouraged to address questions or concerns regarding the subject matter in this guide or other issues to your OCJP Program Manager.

Residential Substance Abuse Treatment for State Offenders Grants (CFDA # 16.593): The Violent Crime Control and Law Enforcement Act of 1994 establishes a program of federal grants administered by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. This program, known as Residential Substance Abuse Treatment for State Prisoners (RSAT), assists states and units of local government in developing and implementing residential substance abuse treatment programs within State and local correctional and detention facilities.

The RSAT Program assists states and local governments in developing and implementing substance abuse treatment programs in state and local correctional and detention facilities. The RSAT Program also assists states and local governments in creating and maintaining community-based aftercare services for offenders. The goal of the RSAT Program is to break the cycle of drugs and violence by reducing the demand for, use, and trafficking of illegal drugs.

The objectives of the RSAT Program are to:

- Enhance the capability of states and units of local government to provide residential substance abuse treatment for incarcerated inmates.
- Prepare offenders for their reintegration into the communities from which they came by incorporating reentry planning activities into treatment programs.
- Assist both the offenders and their communities through the reentry process through the delivery of both community-based treatment and other broad-based aftercare services.

CHAPTER I

RSAT ELIGIBLE SUBRECIPIENTS

- A. **Eligible Subrecipients:** The intent of the Residential Substance Abuse Treatment Formula Grant Program is to assist units of State and local government in carrying out specific programs that offer treatment programs in correctional settings that offer a high probability of offenders not returning to the criminal justice system. Special emphasis is placed on programs that implement an aftercare component once the offender has successfully completed treatment. In accordance with Section 507 of the Act, the State may award RSAT Formula Grant Program funds to State agencies and units of local government for the following purposes:
1. Developing and implementing residential substance abuse treatment programs within state and local correctional and detention facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment.
 2. Emphasizing treatment for underserved populations (ie. women).
 3. Improving the coordination between state and local correctional representatives and alcohol and drug abuse agencies at the state and local levels.

CHAPTER II

RSAT PROGRAM PURPOSE/REQUIREMENTS

A. Program Purpose:

The Residential Substance Abuse Treatment Formula Grant Program assists states and units of local government in developing and implementing residential substance abuse treatment programs within state and local correctional and detention facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment.

The goal of this program is to provide for a provision in the statewide strategy to address the need to develop or enhance substance abuse treatment programs for offenders. In implementing the programs, the grantees are encouraged to adopt comprehensive approaches to substance abuse testing and treatment for offenders, including relapse prevention and aftercare services.

The Residential Substance Abuse Treatment Program is administered by the Bureau of Justice Assistance (BJA) in the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ).

B. Program Requirements:

The Residential Substance Abuse Treatment Formula Grant funds may be used to implement residential substance abuse programs that provide individual and group treatment programs for offenders in residential facilities operated by state and local correctional agencies. These programs must:

1. Last between 6 and 12 months. Each offender must participate in the program for not less than 6 or more than 12 months, unless he or she drops out or is terminated.
2. Be provided in residential treatment facilities set apart from the general correctional population. Set apart means a totally separate facility or a dedicated housing unit within a facility exclusively for use by program participants.
3. Focus on the substance abuse problems of the inmate.
4. Develop the inmate's cognitive, behavioral, social, vocational, and other skills to solve the substance abuse and related problems.
5. Implement or continue to require urinalysis and/or other proven reliable forms of drug and alcohol testing.

Preferably, participation in the residential program should be limited to inmates who have 6 to 12 months left in their term of confinement so that they can be released from prison after completing the treatment program, rather than being returned to the general prison population.

The federal share of a grant funded project may not exceed 75 percent of the total cost of the project. The 25 percent matching funds must be in the form of a cash

match. These “match” funds must be paid with nonfederal funds. These funds must also be in addition to funds that would otherwise be made available by the subrecipient for treatment.

C. Drug Testing:

Applicant must agree to implement or continue to require urinalysis and/or other proven reliable forms of drug and alcohol testing of individuals assigned to residential substance abuse treatment programs in correctional facilities. Such testing must include individuals released from residential substance abuse treatment programs who remain in the custody of the state. Applicants are also encouraged to implement drug testing and treatment programs for offenders throughout their criminal justice systems. As part of its application for funds, the **applicant** must describe its current drug testing programs, the number of offenders tested, and plans to expand or continue these programs. Grant funds may be used to pay the cost of testing offenders while in a grant-supported program.

D. Aftercare:

The State is required to give preference to subgrant applicants who will provide aftercare services to program participants. Aftercare services should involve coordination between the correctional treatment program and other human service and rehabilitation programs, such as education and job training, parole supervision, halfway houses, and self-help and peer group programs that may aid in rehabilitation. Currently, under the governing statute, 10% of grant funds may be used for non-residential treatment provided during the aftercare component of the program.

E. Coordination:

Corrections treatment programs and state and/or local substance abuse treatment programs are required to work together to place program participants in appropriate community substance abuse treatment when these individuals leave the correctional facility at the end of their sentence or time on parole. Both agencies should work together in developing an individualized plan for community substance abuse treatment for each offender. This plan should begin when an offender enters the residential treatment program. Applicants are encouraged to develop written agreements and procedures to facilitate this cooperation.

In designing and implementing the Residential Substance Abuse Treatment Formula Grant Program, states are required to ensure coordination between correctional representatives and alcohol and drug abuse agencies at the state and if appropriate, local levels. This should include coordination under the Residential Substance Abuse Treatment Program and the Substance Abuse Prevention and Treatment Block Grant Program administered by the Department of Health and Human Services’ Substance Abuse and Mental Health Services Administration.

CHAPTER III

RSAT REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting on their projects to the OCJP. Reporting requirements include:

- **RSAT Annual Report**
- **F & A Invoice For Reimbursement (See OCJP appendix I)**
- **OCJP Quarterly Program Income Report (OCJP Appendix L)**
- **OCJP Project Equipment Summary Report (OCJP Appendix K)**

These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies and implementation plans, and to assist OCJP in determining project success and funding allocations. Examples of each form are provided in the [RSAT Appendix B-Report Forms and Instructions](#), of this manual.

Forms may be reproduced locally, but must maintain the original format and content. The Project Director is responsible for timely submission of completed reports. Note: Inability to submit required reports in a timely fashion is considered failure of a required contract obligation.

A. RSAT Annual Report:

This report form is completed on an annual basis. It is due to the OCJP 30 days after the close of each State fiscal year, (July 1 - June 30). This report provides the Project Director an opportunity to describe in both narrative and quantitative fashion the success of the program. Over time, these reports can provide valuable trend information when combined with other regional and statewide data.

All program reports should be sent to:

OCJP Program Manager
Office of Criminal Justice Programs
William R. Snodgrass Tennessee Tower
312 8th Avenue North, Suite 1200
Nashville, TN 37243-1700

B. Finance and Administration Invoice for Reimbursement:

Invoice forms must be sent, at a minimum, on a quarterly basis and should reflect actual expenditures for the period.

Invoices should be emailed to:
Office of Budget and Finance OCJP
INVOICE@state.tn.us

(NOTE: This is an embedded email. Once clicked a window opens giving you a ready email to attach your invoice to.)

NOTE: Subgrantees must provide a written report(s) to OCJP within thirty (30) days from the date of occurrence of any of the following:

- 1. Any change of address for authorizing official, project director, or financial director for the project funded.**
- 2. Any lawsuits filed by clients or employees of the implementing agency.**
- 3. Any cessation or interruption of implementation of project activities arising from litigation, loss of staff, or programmatic restructuring.**
- 4. Change in project site or location.**
- 5. Change in or temporary absence of project director or financial director.**
- 6. Addition of supplies or equipment to project budget not previously identified.**
- 7. Change in scope of programmatic activities or purpose of project.**

RSAT REQUIRED REPORT TIMELINES

REPORT	PERIOD COVERED	SUBMIT TO OCJP
<u>F&A Invoice For Reimbursement (See OCJP Appendix I)</u>	Monthly (minimum quarterly)	(MAHER WASEF) Office of Budget and Finance Monthly
<u>RSAT Annual Report (See RSAT Appendix B)</u>	July through June (state fiscal year)	(Assigned Program Manager at OCJP) July 31st
<u>Quarterly Program Income Report (See OCJP Appendix L)</u>	July through September October through December January through March April through June	(Assigned Program Manager at OCJP) October 30th January 30th April 30th July 30th
<u>Equipment Summary (See OCJP Appendix K)</u>	July 1st through June 30th	(Assigned Program Manager at OCJP) July 31st

CHAPTER IV

RSAT DIRECT SERVICE PERSONNEL REQUIREMENT

- A. **Licensure:** Accurate documentation is required that all personnel providing individual and group counseling are licensed Alcohol and Drug Abuse (LADAC) Counselors by the State of Tennessee Department of Health. For further information please refer to the Rules Governing Licensure of Alcohol and Drug Abuse Counselors, Chapter 1200-30-1 on the State Department of Health website.
1. All non-licensed personnel must actively be working on their LADAC. Clear documentation that all requirements are being followed is required. Clinical supervision of these personnel must clearly be defined in your policies and procedures manual. Verification that the procedure is being followed must also be documented in the personnel file. Personnel who are not licensed alcohol and drug abuse counselors and actively working on licensure may only be utilized with prior approval from OCJP.
 2. Other appropriate certification or licensure may be substituted upon prior written approval from the Office of Criminal Justice Programs.

STOP VIOLENCE AGAINST WOMEN

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STOP VIOLENCE AGAINST WOMEN

Formula Grant Program

INTRODUCTION

This guide is provided for use by all subrecipient staff receiving federal grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, STOP Violence Against Women Formula Grant Program administered by the Tennessee Office of Criminal Justice Programs. This guide is to serve as a reference for the financial and programmatic requirements/responsibilities of projects funded through the STOP Violence Against Women Grant Program. It is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project.

The STOP Violence Against Women Formula Grant Program was authorized through the Violence Against Women Act (VAWA) of 1994 and reauthorized and amended by the Violence Against Women Act of 2000 and the Reauthorization Act of 2005, Pub. L. No. 109-162. This Act reauthorizes the VAWA grant programs already administered by OVW for Fiscal Years 2007 through Fiscal year 2011. **The STOP Program is administered by the Office on Violence Against Women (OVW), U.S. Department of Justice.** Its purpose is to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to violence against women. It envisions a partnership among law enforcement, prosecution, courts and victim advocacy organizations to enhance victim safety and hold offenders accountable for their crimes of violence against women.

The intent of the STOP Violence Against Women Grant Program is to provide criminal justice assistance to state agencies, local units of government, non-profit and faith-based and community organizations. Its purpose is to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to violence against women (and men who are victims of domestic violence, sexual assault or stalking).

Funding to Faith-based and Community organizations

Consistent with Executive Order 13279, December 12, 2002 and 28 CFR Part 38, it is OVW's policy that faith-based and community organizations that statutorily qualify as eligible applicants under OVW programs, are invited and encouraged to apply for assistance awards to fund eligible grant activities. Faith-based and community organizations will be considered for awards on the same basis as other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based and community organizations are required to abide by the same regulations and requirements specifically associated with the program under which you were awarded a grant as any other agency awarded funding.

The federal Department's Office on Violence Against Women (OVAW) administers the STOP Program according to the following statutory formula (as amended by VAWA 2005):

- ❖ 5% of STOP funds for grants to Indian tribal governments

- 2.5% of STOP funds for grants to state and tribal domestic violence coalitions
- 2.5 % of STOP funds for grants to state and tribal sexual assault coalitions
- Each state receives a base amount of \$600,000 and
- Remaining funds are distributed to each state based on population in the amount that bears the same ratio to the amount of remaining funds as the population of the state bears to the population of all the states (not including Indian tribes).

The STOP Violence Against Women Formula Grant Program (CFDA # 16.588) promotes a coordinated, multidisciplinary approach to improving the criminal justice system's response to violence against women (and men who are victims of domestic violence, sexual assault or stalking). This approach envisions a partnership among law enforcement, prosecution, the courts; victim advocates and service providers to ensure victim safety and offender accountability.

Authorized through the Violence Against Women Act, set out in Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322, 108 Stat. 1796, the STOP Program is administered by the Violence Against Women Grants Office, U.S. Department of Justice. The Victims of Trafficking and Violence Protection Act of 2000 included provisions to reauthorize and strengthen the Violence Against Women Act.

The STOP Violence Against Women Grant was established to aid state and local governments and non-profit organizations in the development of violence prevention programs that serve women. **The STOP Program encourages the development and strengthening of effective law enforcement and prosecution strategies to address violent crimes against women and the development and strengthening of victim services in cases involving violent crimes against women.**

Grant funds may be used to develop and implement effective law enforcement and prosecution strategies to combat violent crimes against women and to develop and enhance victim services in cases involving violent crimes against women. The Office of Criminal Justice Programs in the Tennessee Department of Finance and Administration has been designated as the state agency responsible for administering this grant program in Tennessee.

This Guide incorporates by reference the provisions of the Office of Management and Budget (OMB) circulars and government-wide common rules applicable to grants and cooperative agreements. These circulars and common rules include the following:

Circulars and Common Rules – [Circulars and Common Rules](#)

CHAPTER I

ELIGIBLE SUBRECIPIENTS

A. Eligible subrecipients for federal STOP Violence Against Women funding include:

1. State Agencies
2. Units of Local Government
3. Non-profit Organizations
4. Faith-based and Community Organizations

B. Tennessee, as all states, must allocate STOP Violence Against Women funding within the parameters of the Act as follows:

1. 25% to support law enforcement programs
2. 25% to support prosecution programs
3. 30% to support nonprofit, nongovernmental victim services programs (of which 10% must go to culturally specific community based organizations)
4. 5% to support court programs.
5. 15% to further support law enforcement, prosecution, court or victim services programs, at the state's discretion, to eligible agencies

Statutory Definitions Under 42 U.S. C –3796gg-1-(c)(3)

Law Enforcement – a public agency charged with policing functions, including any of its component bureaus (such as governmental victim services programs).

Prosecution – any public agency charged with direct responsibility for prosecuting criminal offenders, including such agency's component bureaus (such as governmental victim services programs).

Victim Services – a nonprofit, nongovernmental organization that assists domestic violence, dating violence, sexual assault, or stalking victims, including rape crisis centers, domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

Courts – any civil or criminal, tribal, and Alaskan Village, Federal, State, local or territorial court having jurisdiction to address domestic violence, dating violence, sexual assault or stalking, including immigration, family, juvenile, and dependency courts, and the judicial officers serving in those courts, including judges, magistrate judges, commissioners, justices of the peace, or any other person with decision-making authority.

Community Based Organization – an organization that:

- (A) focuses primarily on domestic violence, dating violence, sexual assault or stalking;
- (B) has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault or stalking;

- (C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault or stalking; or
- (D) obtains expertise, or shows demonstrated capacity to work effectively on domestic violence, dating violence, sexual assault or stalking through collaboration.

CHAPTER II

STOP PROGRAM PURPOSE AND REQUIREMENTS

A PROGRAM PURPOSE

The purpose of the STOP Violence Against Women Grant Program is to assist state agencies, units of local government, and nonprofit or faith-based and community organizations in carrying out specific projects which offer a high probability of improving the functioning of the criminal justice system. This grant program provides funding for projects which assist organizations in their efforts to reduce violence against women focused on domestic violence, sexual assault and stalking.

The overriding objective of this funding continues to be the implementation of comprehensive strategies that are sensitive to the needs and safety of victims and hold offenders accountable for their crimes.

In general, grants under this program may support personnel, training, technical assistance, evaluation, data collection, and equipment costs to enhance the apprehension, prosecution, and adjudication of persons committing violent crimes against women.

B. PROGRAM REQUIREMENTS AND CERTIFICATIONS

The intent of the STOP Violence Against Women Grant Program is to provide criminal justice assistance to state agencies, local units of government, and non-profit organizations. The Department of Justice has defined a unit of local government as a general purpose political subdivision of a state, such as a city or county. The definition for victim services providers under this grant is a nonprofit, governmental or non-governmental organization that assists domestic violence or sexual assault victims through the legal process. Examples include rape crisis centers and battered women's shelters. Grants from this program can only be awarded to state agencies, local units of government and nonprofit organizations so defined.

States must certify annually that all out-of-pocket costs of forensic medical examinations for victims of sexual assault will be paid by the State, a unit of local government, or another governmental entity. States must also certify annually that victims of domestic violence are exempt from paying the costs associated with filing criminal charges or issuing or serving a warrant, protection order, or witness subpoena in connection with the prosecution of a felony or misdemeanor domestic violence offense. Programs must be aware of these assurances and ensure that they continue to be operationalized locally.

The Violence Against Women and Department of Justice Reauthorization Act of 2005 adds two additional certification requirements to the STOP program: 1) applicants must certify that their judicial policies and practices include notification to domestic violence offenders of federal gun control laws related to domestic violence and any related federal, state, or local laws, and 2) applicants must certify that their laws, policies and practices ensure that victims of alleged sex offenses will not be asked to submit to a polygraph examination as a condition for proceeding with the investigation of **the offense**. See Attachment I - Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act, as amended).

In addition, states must assure that by January 5, 2009, they will not require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.

NOTE: STOP funds may now be used to pay for forensic medical exams performed by trained examiners for victims of sexual assault, except that such funds may not be used to pay for forensic medical exams if victims of sexual assault are required to seek reimbursement for such exams from their insurance carriers.

With respect to the VAWA requirement concerning judicial notification, a state must certify:

- that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related Federal, State, or local laws; or that its judicial administrative policies and practices will be in compliance with the above by January 5, 2008.

C. PROGRAM PURPOSE AREAS

1. The Department of Justice has identified **fourteen (14)** purpose areas under which subgrants may be funded. Programs must address one or more of the following eleven purpose areas:
 - a. Training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women, including sexual assault and domestic violence;
 - b. Developing, training, or expanding specialized units of law enforcement officers and prosecutors targeting violent crimes against women, including sexual assault and domestic violence;
 - c. Developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically dedicated to preventing, identifying, and responding to violent crimes against women, including sexual assault and domestic violence;
 - d. Developing, installing, or expanding data collection and communication systems, including computerized systems that link police, prosecutors, and courts or that are designed to identify and track arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including sexual assault and domestic violence;
 - e. Developing, enlarging, or strengthening victim service programs, including sexual assault and domestic violence programs; developing or improving delivery of victim services to racial, cultural, ethnic, and language minorities; providing specialized domestic violence advocates in courts where a significant number of protection orders are granted; and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including sexual assault and domestic violence;
 - f. Developing, enlarging, or strengthening programs addressing stalking;

- g. Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including sexual assault and domestic violence.
- h. Supporting formal and informal statewide, multidisciplinary efforts to coordinate the response of law enforcement, prosecution, courts, and victim services to sexual assault, domestic violence, dating violence, and stalking.
- i. Training sexual assault forensic medical personnel examiners
- j. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and victim services to address and recognize the needs and circumstances of older and disabled individuals who are victims of domestic violence and sexual assault.
- k. Providing assistance to victims of domestic violence and sexual assault in immigration matters.
- l. Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families.
- m. Supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have the expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities:
 - (A) developing in collaboration with prosecutors, courts and victim service providers, standardized response policies for local law enforcement agencies, including triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized;
 - (B) notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;
 - (C) referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and
 - (D) taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order.
- n. To provide funding to law enforcement agencies, non-profit nongovernmental victim services providers, and State, tribal, territorial, and local governments, (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote:
 - (A) the development and implementation of training of local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates,” to provide supportive

services and advocacy for victims of domestic violence committed by law enforcement personnel;

- (B) the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies (such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project” July 2003);
- (C) the development of such protocols in collaboration with State, tribal, territorial and local victim services providers and domestic violence coalitions.

Any law enforcement, State, tribal, territorial, or local government agency receiving funding under the Crystal Judson Domestic Violence Protocol Program under paragraph (n) shall on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of 2 years, provide a report of the adopted protocol to the Department of Justice, including a summary of progress in implementing such protocol.

NOTE: **STOP funds are intended to foster more widespread apprehension, prosecution and adjudication of perpetrators of violent crimes against women through the criminal justice system. In addition to the clear criminal purposes for which the Violence Against Women Act was intended, funding for civil justice assistance is allowable, but it is limited by the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Violence Against Women Act, to situations that bear directly and substantially upon criminal justice matters or are inextricably intertwined with criminal justice matters. Since it is consistent with the overall intent of the statute, legal assistance to victims attempting to obtain civil protection orders may be supported.**

- 2. Agencies must comply with Tennessee Code Annotated, Section 31-1-403 and 37-1-605 by reporting suspected cases of child abuse to the Department of Children’s Services and with Tennessee Code Annotated 71-6-103 by reporting cases of adult abuse to the Department of Human Services as required by law.

In order for law enforcement agencies to qualify for grant funds, the agency must comply with the following:

- a. Fingerprint Reporting Requirement. The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-3-122 and will submit all fingerprints taken to the Tennessee Bureau of Investigation (TBI).
- b. TIBRS Reporting Requirement. The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-10-101 et seq. and will submit crime statistics using the Tennessee Incident Based Reporting System (TIBERS) to the Tennessee Bureau of Investigation (TBI).

3. All sub-recipients must forward to the Office of Criminal Justice Programs any written policies they have prohibiting the disclosure of a victim's name, address, telephone number, or any other identifying information without the prior voluntary written consent of the victim.
4. Applicants must demonstrate that they have consulted and coordinated in a meaningful way with sexual assault and domestic violence victim services programs or coalitions.

In addition Law Enforcement, Prosecution and Court programs must assure that they have consulted with victim services during the course of developing their grant application to ensure that the proposed activities are designed to promote safety, confidentiality and economic independence of victims. (Attachment L)

D. PROGRAM PRIORITIES

1. The overriding objective of the STOP Program continues to be the implementation of programs sensitive to the needs and safety of victims while holding offenders accountable for their crimes.
2. To achieve this objective Tennessee will continue to build and strengthen collaborations with existing partners, as well as forging new partnerships. Program Guidelines from the Violence Against Women Office encourage states to support projects that will:
 - a. Strengthen enforcement of protection orders within and among states;
 - b. Address sexual assault through expansion of services, development and implementation of protocols, and education and training programs for law enforcement, prosecution, and the judiciary;
 - c. Encourage the judiciary to engage in problem solving approaches that require active judicial participation;
 - d. Strengthen the response of pre-trial agencies in cases involving violence against women, including setting pre-trial release conditions that are based on victim input and safety;
 - e. Develop and enhance the efforts of probation and parole agencies to monitor and control the perpetrators of violence against women to maximize victim safety and offender accountability;
 - f. Strengthen enforcement of existing stalking laws by aggressively investigating, prosecuting and adjudicating these crimes;
 - g. Implement community-driven initiatives to address the needs of traditionally underserved populations;
 - h. Coordinate the efforts of all relevant justice agencies to leverage the coercive power of the criminal justice system to influence offenders' behavior; and
 - i. Increase the number and type of judicial education and court-related projects.

CHAPTER III REPORTING REQUIREMENTS

A. REPORTING REQUIREMENTS

All subrecipients are responsible for **annual** reporting of output and outcome data on their projects to OCJP. Reporting requirements for STOP subrecipients include **Annual** Output and Outcome Reporting, **Projected Output Reporting** and Policy 03 Quarterly Expense and Revenue Report (Non-Profit Agencies Only) or Quarterly Program Income Summary Report (if program income earned), Project Equipment Report (if equipment was purchased) and an Invoice for Reimbursement form. These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies and implementation plans, assist OCJP in determining project success and funding allocations, request reimbursement or close out a grant. Examples of each form are provided in the Appendices of this manual. Forms may be reproduced locally, but should maintain the original format and content.

NOTE: The subrecipient is required to gather and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted on the semi-annual and annual reports. OCJP may periodically request to see the back-up data that supports the information submitted on your semi-annual outcome and annual output and outcome reports.

The Project Director is responsible for timely submission of completed program and fiscal reports. **Note:** Inability to submit required reports in a timely fashion is considered failure of a required contract obligation.

1. **Annual Outcome Reporting:** outcome reporting is required of all subrecipients **once a year**. The **Annual Outcome Report** covers the period July 1st through June 30th. Outcomes are benefits resulting for the participants from the program activities. OCJP is interested in collecting project outcome data based on the “core outcomes” by project type. Core Outcome Indicators and Recommended Measures and Data Collection Methods are included in Appendix E. Sample Client Surveys are included in Appendix E. The Annual Outcome report will be available through our website at www.state.tn.us/finance/rds/ocjp.htm **on July 15th or the following business day** and should be submitted to OCJP by July 31st
2. **Annual Output Reporting:** Output reporting is required of all subrecipients at year-end. The Annual Output Report covers the period July 1st through June 30th. Outputs are counts of activities and a measure of work accomplished by the program. The Annual Output Report is included in Appendix B. The Annual Output Report **will be e-mailed to you in mid July and must be returned to OCJP by July 31st.**
3. **Community and/or Collaborator Surveys:** (as required based on your program type) cover the period July 1st through June 30th. The Community and Collaborator Survey Reports should be reported annually to OCJP by July 31st. See Appendix F

NOTE: Subrecipient programs are not required to use client surveys to collect required core outcome data, but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale (Strongly Agree to Strongly Disagree) for all client feedback and satisfaction data. Subrecipients should not change the substance of the core outcome measures. Subrecipient agencies may also choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observation, etc.

NOTE: Data based on staff observations should be submitted as supplemental information and NOT included with client feedback data.

Data may be collected on the required satisfaction measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. See Appendix H, Rules/Guidelines for OCJP Required Data Collection.

4. **Projected Output Report:** Projecting outputs is a requirements of all subrecipients at the beginning of each contract year. Subrecipients are asked to project the number of outputs to be achieved during the upcoming contract year. Projected output reports should be submitted by July 31st for the upcoming contract period July – June. The data will assist OCJP in evaluating the planned versus actual activities funded through the grant.

STOP Violence Against Women Reporting Schedule
The Office of Criminal Justice Programs, William R. Snodgrass Tennessee
Tower, 312 8th Avenue North, Nashville, Tennessee 37243-1700

REPORT	REPORTING PERIOD	SUBMIT TO OCJP
Annual Output Report. (DOJ Progress Report)	July 1 st – June 30th	Emailed to OCJP STOP Administrator by July 31st
Annual Outcome Report.	July 1 st – June 30th	OCJP Online Reporting by July 31st
Policy 03 Quarterly Expense and Revenue Report (Non Profit Agencies Only)	Quarterly for Period Ending September December March June	OCJP Fiscal Manager October 31st January 31st April 30th July 31st
OCJP Quarterly Program Income Summary Report, if applicable (All subrecipients EXCEPT Non-Profit Agencies)	Quarterly for Period Ending September December March June	OCJP Program Manager October 31st January 31st April 30th July 31st
Project Equipment Summary Report, if applicable	Contract Period (July to June)	July 31 st
<u>Projected Output Report</u>	Upcoming Contract Period July to June	July 31 st
F & A Invoice for Reimbursement	Monthly	Office of Business and Finance 20th Floor Wm. Snodgrass Tennessee Tower 312 8th Avenue North, Nashville, TN. 37243-1700 e-mail: OCJP INVOICE@state.tn.us

CHAPTER IV ALLOWABLE COSTS

A. ALLOWABLE COSTS

STOP funding may be used by the subrecipient for personnel, training, technical assistance, evaluation, data collection and equipment costs to enhance the apprehension, prosecution and adjudication of persons committing violent crimes against women. Children's services must be inextricably linked to providing services to victims of domestic violence. For example, STOP funds may support the expansion of shelter services for battered women to include programs for their children.

Allowable costs are those cost principles identified in the OMB Circular A-87 for State and Local Governments and OMB Circular A-122 for Non-Profit Organizations and in the grant program's authorizing legislation. In addition, costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements.

See OCJP Administrative Manual, [Chapter XIV](#)-Allowable Costs

CHAPTER V

UNALLOWABLE COSTS

A. UNALLOWABLE COSTS

1. STOP grant funds may not be used to support services for obtaining divorces. Divorces and legal separations are civil proceedings that fall outside the scope of the seven broad purposes for which STOP funds may be used.
2. STOP funds may not be used to support services that focus exclusively on children or to develop sexual assault or domestic violence prevention curricula for schools.
3. STOP funding may not support legal or defense services for perpetrators of violence against women. But they may support batterers' intervention programs, if the intervention is part of a graduated range of sanctions that use the coercive power of the criminal justice system to hold abusers accountable for their criminal actions and for changing their behavior.
4. STOP funding may not be used to support inherently religious activities.
5. STOP funding cannot be used to lease and/or purchase vehicles.
6. STOP funds cannot be used for renovations

See OCJP Administrative Manual, [Chapter XV](#)- Unallowable Costs

CHAPTER VI

PERFORMANCE MEASUREMENT AND DECISION-MAKING

A. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.
2. OCJP is interested in subrecipient agencies improving performance as well as quantifying their effort. It has been demonstrated that agencies that want to survive and flourish must make significant efforts to continually improve performance and to be able to prove it with verifiable measurements.
3. Although output data is important and will continue to be collected, used and submitted to our federal funders, outcome data has provided us with additional information related to the results of agency efforts on the clients the OCJP/subrecipient partnership serves. Outcome information describes some change in the participant's condition and establishes the benefits of the funding in measurable terms.
4. We recognize that there are basically three reasons for attending to client outcomes:
 - (a) To Improve Program Performance - Agencies exist to help clients find better lives. Agencies want clients safer, more informed, aware of their options and exercising better judgment. Subrecipient agencies need solid information about how well their clients are doing in order to continue improving the quality of their programs.
 - (b) OCJP and other funding sources must be in a position to make funding decisions:
 - When funds are available, funding agencies need information on results to decide which service models to support.
 - When funds are limited, funding agencies must be able to direct limited resources toward approaches known to work.
 - (c) To Meet Federal Reporting Requirements.
5. Performance data can be used to monitor and measure individual program performance or aggregated by project type, the state and/or fund source.

6. OCJP will continue to expect programs to use the logic model to describe how their grant-funded project theoretically works to benefit the target group. OCJP will also continue to collect and use output and outcome information as we manage our federal grants.
7. The data collected and reported by Tennessee subrecipients answer three questions:
 7. OUTPUTS - What are we doing?
 8. SATISFACTION - How well are we doing it?
 9. OUTCOMES - How is the client doing?
8. OCJP does not collect information with which to compare one program or project with another. However OCJP publishes data on our website by which any agency can compare their own data with data reported by like projects.

B. OCJP Decision-Making

1. OCJP conducts Performance Management Reviews (PMR) of each subrecipient contract annually. The performance review process consists of a detailed weighing system that provides a historical perspective of past and present subrecipient performance.
2. The PMR consists of the following criteria, based on a 100 point scale: (See [Appendix G](#))
 - (a) Integrity of Program Design – the logic model description of the program. (15%)
 - (b) Reporting History – compliance with output and outcome reporting requirements. (15%)
 - (c) Program Performance – considering compliance with victim and community/collaborator outcome measurement requirements; notification to OCJP of pertinent changes; history of spending; program manual understanding and overall program effectiveness. (50%)
 - (d) Contract Monitoring – ratings will examine program and fiscal findings. (20%)
3. OCJP will make funding/allocation decisions based on:
 - (a) Performance Management Review Ratings
 - (b) The funding priorities and requirements of the funding source
 - (c) Ensuring that funds are allocated across the state in a defensible and equitable manner.

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VOCA INTRODUCTION

This portion of the OCJP Administrative Manual is provided for use by all subrecipient staff receiving federal grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Victims of Crime Act Formula Grant program. It is intended to serve as reference for the programmatic requirements/responsibilities of projects funded through the Victims of Crime Act Grant Program.

This information is not intended to replace more detailed technical assistance available from the OCJP Program Manager assigned to your project. Subrecipient staff are encouraged to address questions or concerns regarding the subject matter in this manual and/or other issues with your OCJP Program Manager.

VICTIMS OF CRIME ACT (VOCA) (CFDA#16.575)

In 1984, VOCA established the Crime Victims Fund in the U.S. Treasury and authorized the Fund to receive deposits of fines and penalties levied against criminals convicted of federal crimes. The Department of Justice is responsible for the distribution of the funds, which are collected by U.S. Attorney's Offices, U.S. Courts, and the U.S. Bureau of Prisons. This Fund provides the source of funding for all activities authorized by VOCA.

The purpose of the Victims of Crime Act (VOCA) is to provide high quality services that directly improve the health and well being of victims of crime with priority given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims.

The Office for Crime Victims (OVC) makes annual VOCA crime victim assistance grants from the Fund to states. The primary purpose of these grants is to support the provision of services to victims of crime throughout the nation. For the purpose of these Programs Guidelines, services are defined as those efforts that:

1. respond to the emotional and physical needs of crime victims;
2. assist primary and secondary victims of crime to stabilize their lives after victimization;
3. assist victims to understand and participate in the criminal justice system, provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.

The governor of each state designates the state agency that will administer the VOCA victim assistance grant program. In Tennessee, the Department of Finance and Administration, Office of Criminal Justice Programs is the administering agency. The designated agency establishes policies and procedures. VOCA funds granted to the states are to be used by eligible public and private nonprofit organizations to provide direct services to crime victims. States have sole **discretion for determining which organizations will receive funds, and in what amounts, as long as the subrecipients meet the requirements of VOCA.**

This Guide incorporates by reference the provisions of the Office of Management and Budget (OMB) circulars and government-wide common rules applicable to grants and cooperative agreements. These circulars and common rules include the following:

[Circulars and Common Rules](#)

CHAPTER I

VOCA ELIGIBLE SUBRECIPIENTS

VOCA specifies that an organization must provide services to crime victims and be operated by a public agency or nonprofit organization, or a combination of such agencies or organizations in order to be eligible to receive VOCA funding. Eligible organizations include victim services organizations whose sole mission is to provide services to crime victims. In addition to victim service organizations, whose sole purpose is to serve crime victims, there are many other public and nonprofit organizations with components that offer services to crime victims. These organizations are eligible to receive VOCA funds, if the funds are used to expand or enhance the delivery of crime victims' services. Organizations such as this include, but are not limited to the following:

- A Criminal Justice Agencies** such as law enforcement organizations, prosecutors' offices, courts, corrections departments, and probation and paroling authorities are eligible to receive VOCA funding to help pay for victims' services
- B Religiously-Affiliated Organizations** receiving VOCA funds must ensure that services are offered to all crime victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event. Faith based and community organizations are required to abide by the same regulations and requirements specifically associated with the program under which you were awarded a grant as any other agency awarded funding.
- C State Crime Victim Compensation.** Compensation programs, including both centralized and decentralized programs, may receive VOCA assistance funds if they offer direct services to crime victims that extend beyond the essential duties of compensation staff such as claims investigations, distribution of information about compensation and referral to other sources of public and private assistance. Such services would include assisting victims in identifying and accessing needed services and resources.
- D Hospital and Emergency Medical Facilities** must offer crisis counseling, support groups, and/or other types of victim service. VOCA funds may be awarded to a medical facility for the purpose of performing forensic examinations on sexual assault victims if (1) the examination meets the standards established by the state, local prosecutor's office, or statewide sexual assault coalition, and (2) appropriate crisis counseling and/or other types of victim services are offered to the victim in conjunction with the examination.
- E Other state and local public agencies** such as mental health service organizations, state/local public child and adult protective services, state grantees, legal services agencies and programs with a demonstrated history of advocacy on behalf of domestic violence victims, and public housing authorities that have components specifically trained to serve crime victims.

CHAPTER II

VOCA PROGRAM PURPOSE & REQUIREMENTS

A. PROGRAM PURPOSE

The primary purpose of the Victims of Crime Act (VOCA) Grant Program is to support the provision of services to victims of crime throughout the state. The Victims of Crime Act (VOCA) assists public agencies and nonprofit organizations in carrying out specific projects related to direct victim services. Services, for the purpose of this grant, are defined as follows: those efforts that respond to the emotional and physical needs of crime victims, efforts that assist primary and secondary victims of crime to stabilize their lives after victimization, and those efforts that assist victims to understand and participate in the criminal justice system, provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.

B. PROGRAM REQUIREMENTS

The intent of the Victims of Crime Act (VOCA) Grant Program is to provide direct services to victims of crime. The Department of Justice has defined a unit of local government as a general purpose political subdivision of a state, such as a city or county. Grants from this program can only be awarded to organizations that are operated by public or nonprofit organizations, or a combination of such organizations, and provide direct services to crime victims. Programs must have the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources.

VOCA establishes eligibility criteria that must be met by all organizations that receive VOCA funds. These funds are to be awarded to subrecipients only for providing services to victims of crime through their staff. Each subrecipient organization shall meet the following requirements:

1. **Public or Nonprofit Organizations.** Organizations must be operated by public or nonprofit organizations, or a combination of such organizations, and provide services to crime victims in order to receive VOCA funds.
2. **Record of Effective Services.** Programs must demonstrate a record of providing effective services to crime victims. This includes having the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources.
3. **Volunteers.** Subrecipient organizations must use volunteers unless the state determines there is a compelling reason to waive this requirement. A “compelling reason” may be a statutory or contractual provision concerning liability or confidentiality of counselor/victim information, which bars using volunteers for certain positions, or the inability to recruit and maintain volunteers after a sustained and aggressive effort. All requests for waivers must be made in writing to OCJP providing specific details.

All supervision, background checks, training requirements, file documentation, etc. for volunteers providing direct services to victims must be consistent with the agency policy for paid staff providing the same or similar direct service(s).

NOTE: Agencies using volunteers as an in-kind match for their VOCA grant must ensure the volunteer(s) are performing VOCA allowable activities.

4. **Promote Community Efforts to Aid Crime Victims.** Promote, within the community, coordinated public and private efforts to aid crime victims. Coordination may include, but is not limited to, serving on state, federal, local, or Native American task forces, commissions, working groups, coalitions, and/or multi-disciplinary teams. Coordination efforts also include developing written agreements that contribute to better and more comprehensive services to crime victims. Coordination efforts qualify an organization to receive VOCA victim assistance funds, but are not activities that can be supported with VOCA funds.
5. **Help Victims Apply for Compensation Benefits.** Such assistance may include identifying and notifying crime victims of the availability of compensation, assisting them documentation, and/or with application forms and procedures, obtaining necessary checking on claim status.

All victims who appear to be eligible must be notified of their right to apply for compensation from Criminal Injury Compensation. Documentation must be made in each case file indicating that the victim has or has not been informed of his/her right to file for compensation. If a client is not informed of his/her rights for compensation a valid reason must be documented in the case file. If a client is clearly not eligible for compensation, it must be documented in the case file along with a valid reason for non-eligibility. If there is any question relating to eligibility the client must be informed of his/her right to file for compensation.

All paid and volunteer staff, providing direct services to victims, must receive training on Criminal Injury Compensation once during each fiscal year. Training related to Criminal Injury Compensation must be documented in the grant file. Training may be provided by the Criminal Injury Compensation Program staff or staff within a subrecipient agency. In-house training should be based on the Tennessee Criminal Injury Compensation Program website and/or current pamphlets/information received from the Tennessee Criminal Injury Compensation Program, etc.

6. **Comply with Federal Rules Regulating Grants.** Subrecipients must comply with the applicable provisions of VOCA and the OCJP Administrative Manual which includes maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of VOCA funds received. This includes: financial documentation for disbursements, daily time and attendance records specifying time devoted to allowable VOCA victim services, client files, the portion of the project supplied by other sources of revenue, job descriptions, contracts for services, and other records which facilitate an effective audit.
7. **Maintain Civil Rights Information.** Subrecipients must maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability, within the timetable established by OCJP. Reasonable access to

the books, documents, paper, and records to determine whether the subrecipient is complying with applicable civil rights laws must be permitted.

8. **Comply with State Criteria.** Subrecipients must abide by any additional eligibility or service criteria as established by OCJP including submitting statistical and programmatic information on the use and impact of VOCA funds, as requested by OCJP.
9. **Services to Victims of Federal Crimes.** Victims of federal crimes must be provided services on the same basis as victims of state and local crimes.
10. **No Charge to Victims for VOCA Funded Services.** Services are provided to victims at no charge through any VOCA funded program. Any deviation from this requires prior approval by OCJP. The purpose of the VOCA victim assistance grant program is to provide services to all crime victims regardless of their ability to pay for services rendered or availability of insurance or other third-party payment resources. Crime victims suffer tremendous emotional, physical, and financial losses. It was never the intent of VOCA to exacerbate the impact of the crime by asking the victim to pay for services.
Subrecipients must ensure that they have the capability to track program income in accordance with federal financial accounting requirements. All VOCA funded program and match income, no matter how large or small, is restricted to the same uses as the VOCA grant. Program income can be problematic because of the required tracking systems needed to monitor VOCA funded income and ensure that it is used only to make additional services available to crime victims. For example: VOCA often funds only a portion of a counselor's time. Accounting for VOCA program income generated by this counselor is complicated, involving careful record keeping by the counselor, the subrecipient program, and OCJP.
11. **Client-Counselor and Research Information Confidentiality.** Subrecipients are to maintain confidentiality of client-counselor information as required by state and federal law.
12. **Confidentiality of Research Information.** Except as otherwise provided by federal law, no subrecipient of VOCA funds shall use or reveal any research or statistical information furnished under this program by any person to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with VOCA. Such information shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administration proceeding. These provisions are intended, among other things, to ensure the confidentiality of information provided by crime victims to counselors working for victim services programs receiving VOCA funds.

Whatever the scope of application given this provision, it is clear that there is nothing in VOCA or its legislative history to indicate that Congress intended to override or repeal, a state's existing law governing the disclosure of information which is supportive of VOCA's fundamental goal of helping crime victims. For example, this provision would not act to override or repeal, in effect, a state's existing law pertaining to the mandatory reporting of suspected child abuse.

Furthermore, this confidentiality provision should not be interpreted to thwart the legitimate informational needs of public agencies. For example, this provision does not prohibit a domestic violence shelter from acknowledging, in response to an inquiry by a law enforcement agency conducting a missing person investigation, that the person is safe in the shelter. Similarly, this provision does not prohibit access to a victim service project by a federal or state agency seeking to determine whether federal and state funds are being utilized in accordance with funding agreements.

13. **Comply With State Laws.** In order for law enforcement agencies to qualify for grant funds, the agency must comply with the following:
 - a. Fingerprints/UCR Reporting Requirement. The agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-3-122, and will submit all fingerprints taken to the Tennessee Bureau of Investigation (TBI).
 - b. TIBRS Reporting Requirement. The agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-10-101 et seq. and will submit crime statistics using the Tennessee Incident Based Reporting System (TIBRS) to the Tennessee Bureau of Investigation (TBI).
14. **Record Keeping.** The subrecipient must establish and maintain program records that assure project activities are in compliance with the approved project narrative. Such records must be readily available for review.
15. **Statutory Reporting.** Agencies must comply with Tennessee Code Annotated, *Section 37-1-403* and *37-1-605* by reporting suspected cases of child abuse to the Department of Children's Services and with Tennessee Code Annotated *71-6-103* by reporting cases of adult abuse to the Department of Human Services as required by law.

C. PROGRAM PRIORITIES

The Victims of Crime Act (VOCA) Grant Program identifies four (4) federal priority areas. They are as follows: domestic abuse, sexual assault, child abuse, and previously underserved populations.

CHAPTER III

VOCA REPORTING REQUIREMENTS

All subrecipients are responsible for periodic reporting of output and outcome data on their projects to OCJP. Reporting requirements for VOCA subrecipients include:

- A. U.S. Department of Justice Subgrant Award Report (SAR)
- B. Annual Outcome Report
- C. Annual Output Report
- D. Community and/or Collaborator Surveys
- E. Projected Output Report
- F. VOCA Year End Reconciliation Form

These reports are used to monitor projects, fulfill federal grant reporting requirements, provide information for state strategies, assist OCJP in determining project success and funding allocations, and initiate monthly payments to the VOCA subrecipient. **Examples of each form are provided in App. B.1., B.2., B.3. Forms may be reproduced locally, but should maintain the original format and content.**

The subrecipient is required to gather and maintain statistical data relating to grant project activities as required by the Office of Criminal Justice Programs. The data collected should support the information submitted on the semi-annual and annual reports. OCJP may periodically request to see the back-up data that supports the information submitted on your semi-annual and annual output and outcome reports.

The Project Director is responsible for timely submission of completed **program and fiscal reports.** **Note: Inability to submit required reports in a timely fashion is considered failure of a required contract obligation.**

- A. **U.S. Department of Justice Subgrant Award Report (SAR):** This report is required for each organization that receives VOCA funds. The SAR must be completed on line (see **VOCA Appendix B1**), no later than July 31st of the fiscal year for which the report is completed. The SAR will be available on our website at **<http://www.state.tn.us/finance/rds/ocjp.htm>** **on July 15 or the next business day. A new SAR must be completed for each fiscal year for which grant dollars are received by an agency.** The information submitted projects how funding will be allocated to victim services throughout the grant period. The program director is responsible for ensuring that the project expense adheres to the financial restraints noted in the SAR. For example, if an agency reports on the SAR that \$25,000 will be spent for sexual assault services and \$25,000 will be spent for domestic violence services it is the program director's responsibility to make sure the programs do not exceed the allotted amounts.
- B. **Annual Outcome Reporting:** The Annual Outcome Report is required at the end of each contract year **and covers the period of July 1st through June 30th of the fiscal year for which the report is submitted.** The Annual Outcome Report should be submitted **online** to OCJP by July 31st. The Annual Outcome Report will be available on our website at **<http://www.state.tn.us/finance/rds/ocjp.htm>** **on July 15 or the next business day.**

- C. **Annual Output Reporting:** The Annual Output Report is required at the end of each contract year and covers the period of July 1st through June 30th of the fiscal year for which the report is submitted. The Annual Output Report should be submitted online to OCJP by July 31st. The Annual Output Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> on July 15 or the next business day.
- D. **Community and/or Collaborator Surveys** (as required based on your program type) cover the period July 1-June 30. The Annual Outcome Report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> on July 15 or the next business day. The Community and/or Collaborator Survey Reports should be reported annually to OCJP by July 31. (See **VOCA Appendix F** for Sample Victim/Community/Collaborator Surveys)

NOTE: Subrecipient programs are not required to use client surveys to collect required core outcome data, but they are required to provide data addressing the core outcome indicators and measures for your specific project type, using a standard five-point scale (Strongly Agree to Strongly Disagree) for all client feedback and satisfaction data. Subrecipients should not change the substance of the core outcome measures. Subrecipient agencies may choose to use other available data sources to further validate and verify subrecipient data i.e. exit interviews, case notes, focus groups, staff observation, etc. Data based on staff observations should be submitted as supplemental and NOT mixed with client feedback data.

Data may be collected on the required satisfaction measures separately from participant outcome data in order to assure confidentiality. If a separate process is used to collect data on the required satisfaction measures, that process must be separately described in the logic model project narrative. [See Appendix I Rules/Guidelines for OCJP Required Data Collection.](#)

- E. **Projected Outcome Report:** Projecting outputs is a requirement of all subrecipients at the beginning of each contract year. Subrecipients are asked to project the number of outputs to be achieved during the upcoming contract year. Projected output reports should be submitted by July 31st for the upcoming contract period July – June. The data will assist OCJP in evaluating the planned versus actual activities funded through the grant on July 15 or the next business day.
- F. **VOCA Year End Reconciliation Form:** This report is to be submitted on line at the end of the fiscal year. The report should be submitted to OCJP by July 31. Please note that yearly expenditures and the amounts shown on the VOCA Year End Reconciliation Form (Actual Amount Spent column) must balance and relate to the dollar amounts projected each year on the SAR. The purpose of this report is to reconcile the federal dollars actually spent throughout the grant period with the projection made on the original SAR sent to OCJP at the beginning of the grant period so that appropriate dollar amounts are allocated to each of the four VOCA priority areas. (See **VOCA Appendix B3**) The report will be available on our website at <http://www.state.tn.us/finance/rds/ocjp.htm> on July 15 or the next business day.

[Please click here for OCJP Reports \(OCJP Chapter VII\)](#)

VOCA REPORTING SCHEDULE

Name of Report	Dates Covered	Date Due	Person Sent To
C. U.S. Department of Justice Sub-grant Award Report (SAR)	Current fiscal year	July 31 st	SUBMITTED AS AN ONLINE REPORT
D. Annual Outcome Report	July 1 – June 30	July 31 st	SUBMITTED AS AN ONLINE REPORT
E. Annual Output Report	July 1 – June 30	July 31 st	SUBMITTED AS AN ONLINE REPORT
F. Projected Output Report	Upcoming Contract Period July to June	July 31 st	SUBMITTED AS AN ONLINE REPORT
G. VOCA Year End Reconciliation Form	July 1 – June 30	July 31	SUBMITTED AS AN ONLINE REPORT
F. Policy 03 Quarterly Expense and Revenue Report (Non Profit Agencies Only)	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-31 2 nd Quarter/1-31 3 rd Quarter/4-30 4 th Quarter/7-31	Janet Stewart Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 Janet.Stewart@state.tn.us
G. Tennessee Department of Finance & Administration Invoice for Reimbursement	Prior Month	Monthly	Office of Business & Finance Department of Finance and Administration 20 th Floor Tennessee Tower 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 OCJPINVOICE@state.tn.us
H. Project Equipment Summary Report (If applicable)	Current Fiscal Year	30 days past the end of the State fiscal year (July 31)	Program Manager Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700
I. OCJP Quarterly Program Income Summary Report (Government Agencies only) (If applicable)	1 st Quarter 2 nd Quarter 3 rd Quarter 4 th Quarter	1 st Quarter/10-31 2 nd Quarter/1-31 3 rd Quarter/4-30 4 th Quarter/7-31	Program Manager Office of Criminal Justice Programs 312 8th Avenue North, Suite 1200 William R. Snodgrass Tennessee Tower Nashville, TN 37243-1700 Janet.Stewart@state.tn.us

PLEASE PAY CLOSE ATTENTION TO THE LAST COLUMN AND SEND REPORTS TO THE PERSON LISTED.

CHAPTER IV

VOCA ALLOWABLE COSTS

Allowable costs are those cost principles identified in [OMB Circular A-87](#) for State and local Government, [OMB Circular A-122](#) for Non-Profit Organizations, and in the grant program's authorizing legislation. In addition costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements. The following is a listing of services, activities, and costs that are eligible for support with VOCA victim assistance grant funds within a subrecipient's organization.

- A. **Immediate Health and Safety** - Those services which respond to the immediate emotional and physical needs (excluding medical care) of crime victims such as crisis intervention, accompaniment to hospitals for medical examinations, hotline counseling, emergency food, clothing, transportation, and shelter (including emergency, short term nursing home shelter for elder abuse victims for whom no other safe, short term residence is available), and other emergency services that are intended to restore the victim's sense of security. This includes services that offer an immediate measure of safety to crime victims such as boarding up broken windows and replacing or repairing locks. Also allowable is emergency legal assistance such as filing restraining orders and obtaining emergency custody/visitation rights when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victim.
- B. **Mental Health Assistance** consists of those services and activities that assist the primary and secondary victims of crime in understanding the dynamics of victimization and in stabilizing their lives after victimization such as counseling, group treatment, and therapy.
- C. **Assistance with Participation in Criminal Justice Proceedings** may include advocacy on behalf of crime victims, accompaniment to criminal justice offices and court, transportation to court, child care or respite care to enable a victim to attend court, notification of victims regarding trial dates, case disposition information, parole consideration procedures, and assistance with victim impact statements. VOCA funds cannot be used to pay for non-emergency legal representation such as for divorces or civil restitution recovery efforts.
- D. **Forensic Examinations** are allowable only to the extent that other funding sources (such as state compensation, private insurance, or public benefits) are unavailable or insufficient and, such exams conform with state evidentiary collection requirements.
- E. **Costs Necessary and Essential to Providing Direct Services** includes pro-rated costs of rent, telephone services, transportation costs for victims to receive services, emergency transportation costs that enable a victim to participate in the criminal justice system, and local travel expenses for service providers.
- F. **Special Services** assist victims with managing practical problems created by the victimization such as acting on behalf of the victim with other service providers, creditors, or employers, assisting the victim to recover property that is retained as

evidence, assisting in filing for compensation benefits, and helping to apply for public assistance.

- G. **Personnel Costs** that are directly related to providing direct services, such as staff salaries and fringe benefits, including malpractice insurance, the cost of advertising to recruit VOCA funded personnel, and the cost of training paid and volunteer staff.
- H. **Restorative Justice** includes opportunities for crime victims to meet with perpetrators, if such meetings are requested or voluntarily agreed to by the victim and have possible beneficial or therapeutic value to crime victims. At a minimum the following should be considered when conducting these meetings:
 - 1. the safety and security to the victim
 - 2. the benefit or therapeutic value to the victim
 - 3. the procedures for ensuring that participation of the victim and the offender are voluntary and that everyone understands the nature of the meeting
 - 4. the provision of appropriate support and accompaniment for the victim
 - 5. appropriate “debriefing” opportunities for the victim after the meeting or panel
 - 6. the credentials of the facilitators and
 - 7. the opportunity for a crime victim to withdraw from the process at any time

VOCA assistance funds cannot be used for victim-offender meetings, which serve to replace criminal justice proceedings.

The services, activities, and costs listed below are not generally considered direct crime victim services, but are often a necessary and essential activity to ensure that quality direct services are provided. Before these costs can be supported with VOCA funds, OCJP and the subrecipient must agree that direct services to crime victims cannot be offered without support for these expenses, that the subrecipient has no other source of support for them and that only limited amounts of VOCA funds will be used for these purposes. This must be agreed to at the time of grant application and funding.

- I. **Skills Training for Staff:** VOCA funds designated for training are to be used exclusively for developing the skills of direct service providers so that they are better able to offer quality services to crime victims. VOCA funds can be used for training both VOCA funded and non-VOCA funded service providers who work within a VOCA subrecipient organization. Volunteers can be included in VOCA supported training with prior approval from OCJP. All training supported with VOCA funds must relate directly to the purpose statement of the VOCA funded grant. VOCA funds cannot be used for management and administrative training for executive directors, board members, and other individuals that do not provide direct services.
- J. **Training Materials:** VOCA funds can be used to purchase material such as books, training manuals, and videos for direct service providers, within the VOCA funded organization, and can support the costs of a trainer for in-service staff development. Staff from other organizations can attend in-service training activities that are held for the subrecipient’s staff.
- K. **Training Related Travel:** VOCA funds can support costs such as travel, meals, lodging, and registration fees to attend training within the state or a similar geographical area.

Subrecipients are encouraged to first look for available training within their immediate geographical area. However, when needed training is unavailable within the immediate area, OCJP may authorize using VOCA funds to support training outside of the geographical area. Expenses and reimbursements for all in state and out of state travel must follow the State of Tennessee Comprehensive Travel Regulations or the subrecipient travel regulations/rates, if lower.

- L. **Equipment and Furniture:** VOCA funds may be used to purchase furniture and equipment that provides or enhances direct services to crime victims. VOCA funds cannot support the entire cost of an item that is not used exclusively for victim-related activities. However, VOCA funds can support a prorated share of such an item. Subrecipients cannot use VOCA funds to purchase equipment for another organization or individual to perform a victim-related service.

Examples of allowable costs may include beepers, typewriters and word processors, video tape cameras and players for interviewing children, two-way mirrors, equipment and furniture for shelters, work spaces, victim waiting rooms, and children's play areas. The costs of furniture, equipment such as Braille equipment or TTY/TTD machines for the deaf, or minor building alterations/improvements that make victims services more accessible to persons with disabilities are allowable.

- M. **Purchasing or Leasing Vehicles:** Subrecipients may use VOCA funds to purchase or lease vehicles if they can demonstrate to OCJP that such expenditure is essential to delivering services to crime victims. OCJP must give PRIOR approval for all such purchases.
- N. **Advanced Technologies:** At times, computers may increase a subrecipient's ability to reach and serve crime victims. In making such expenditures, VOCA subrecipients must describe to OCJP how the computer equipment will enhance services to crime victims, how it will be integrated into and/or enhance the subrecipient's current system, the cost of installation, the cost of training staff to use the computer equipment, the ongoing operational costs, such as maintenance agreements, supplies, and how these additional costs will be supported.

Property insurance is an allowable expense as long as VOCA funds support a prorated share of the cost of the insurance payments. Property records must be maintained with the following: a description of the property and a serial number or other identifying number, identification of title holder, the acquisition date, the cost and the percentage of VOCA funds supporting the purchase, the location, use, and condition of the property, and any disposition data, including the date of disposal and sale price.

Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. Purchases of computer and software, hardware and other related equipment must follow the Office of Criminal Justice Program's Computer Policy Guidelines, in [OCJP Appendix C](#). Contact your OCJP Program Manager prior to any purchases of computer or telecommunications equipment.

- O. **Contracts for Professional Services:** VOCA funds generally should not be used to support contract services. At times, however, it may be necessary for VOCA

subrecipients to use a portion of the VOCA grant to contract for specialized services. Examples of these include assistance in filing restraining orders or establishing emergency custody/visitation rights (the provider must have a demonstrated history of advocacy on behalf of domestic violence victims), forensic examinations on a sexual assault victims to the extent that other funding sources are unavailable or insufficient, emergency psychological or psychiatric services, or sign and/or interpretation for the deaf or for crime victims whose primary language is not English. Subrecipients are prohibited from using a majority of VOCA funds for contracted services which contain administrative, overhead, and other indirect costs included in the hourly or daily rate.

- P. **Operating Costs:** Examples of allowable operating costs include supplies, equipment use fees, when supported by usage logs, printing, photocopying, and postage, brochures which describe available services, and books and other victim related materials. VOCA funds may support administrative time to complete VOCA required time and attendance sheets and programmatic documentation, reports, and statistics, administrative time to maintain crime victim's records, and the pro-rated share of audit costs.
- Q. **Supervision of Direct Service Providers:** OCJP may provide VOCA funds for supervision of direct service providers when they determine that such supervision is necessary and essential to providing direct services to crime victims. For example, OCJP may allow a subrecipient to use VOCA funds to support a coordinator of volunteers or interns is a cost-effective way of serving more crime victims.
- R. **Repair and/or Replacement of Essential Items:** VOCA funds may be used for repair or replacement of items that contribute to maintaining a healthy and/or safe environment for crime victims, such as a furnace in a shelter. In the event that a vehicle is purchased with VOCA funds, related items, such as routine maintenance and repair costs, and automobile insurance are allowable. Requests for expending VOCA funds will be scrutinized to ensure the following:
1. that the building or vehicle is owned by the subrecipient organization and not rented or leased
 2. all other sources of funding have been exhausted
 3. there is no available option for providing the service in another location
 4. that the cost of the repair or replacement is reasonable considering the value of the building or vehicle
 5. the cost of the repair or replacement is pro-rated among all sources of income.
- S. **Public Presentations:** VOCA funds may be used to support presentations that are made in schools, community centers, or other public forums, and that are designed to identify crime victims and provide or refer them to needed services. Specifically, activities and costs related to such programs including presentation materials, brochures, and newspaper notices can be supported by VOCA funds.
- T. **Consultant Fees:** Individual consultant fees are limited to \$450 per day or \$56.25 per hour. Consultants that are paid for using VOCA dollars must provide direct services to crime victims.

[Please click here for OCJP Allowable Costs \(OCJP Chapter XIV\)](#)

CHAPTER V

UNALLOWABLE COSTS

Unallowable costs are those cost principles identified in the [OMB Circular A-87](#) for State and Local Governments and [OMB Circular A-122](#) for Non-Profit Organizations and in the grant program's authorizing legislation.

The following services, activities, and costs, although not exhaustive, *CANNOT* be supported with VOCA victim assistance grant funds at the subrecipient level.

- A. **Lobbying and Administrative Advocacy:** VOCA funds cannot support victim legislation or administrative reform, whether conducted directly or indirectly.
- B. **Perpetrator Rehabilitation and Counseling:** Subrecipients cannot knowingly use VOCA funds to offer rehabilitative services to offenders. Likewise, VOCA funds cannot support services to incarcerated individuals, even when the service pertains to the victimization of that individual.
- C. **Needs Assessments, Surveys, Evaluations, Studies:** VOCA program funds may not be used to pay for efforts conducted by individuals, organizations, task forces, or special commissions to study and/or research particular crime victim issues.
- D. **Prosecution Activities:** VOCA funds cannot be used to pay for activities that are directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency, such as witness notification and management activities and expert testimony at a trial. In addition, victim witness protection costs and subsequent lodging and meal expenses are considered part of the criminal justice agency's responsibility and cannot be supported with VOCA funds.
- E. **Fundraising Activities:** Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, may not be charged either as direct or indirect costs against the award. Neither the salary of persons engaged in such activities nor indirect costs associated with those salaries may be charged to the award, except insofar as such persons perform other funding-related activities.

An organization may accept donations (i.e., goods, space, services) as long as the value of the donations is not charged as a direct or indirect cost to the grant.

A subrecipient may also expend funds, in accordance with approved award terms, to seek future funding sources to "institutionalize" the project, but not for the purpose of raising funds to finance related or complementary project activities.

An organization may accept donations (i.e., goods, space, and services) as long as the value of the donation is not charged as a direct or indirect cost to the award. A subrecipient may also expend funds, in accordance with approved award terms, seek future finding sources to "institutionalize" the project, but not for the purpose of raising funds to finance related or complementary project activities.

Nothing in this section should be read to prohibit a subrecipient from engaging in fund raising activities as long as Federal funds do not finance such activities.

- F. **Indirect Organizational Costs:** The costs of liability insurance on buildings, capital improvements, security guards and body guards, property losses and expenses, real estate purchases, mortgage payments, and construction may not be supported with VOCA funds.
- G. **Property Loss:** Reimbursing crime victims for expenses incurred as a result of a crime such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills is not allowed.
- H. **Most Medical Costs:** VOCA funds cannot pay for nursing home care (emergency short-term care previously described is allowable), home health-care costs, inpatient treatment costs, hospital care, and other types of emergency and non-emergency medical and/or dental treatment. VOCA victim assistance grant funds cannot support medical costs resulting from victimization, except for forensic medical examinations for sexual assault victims.
- I. **Relocation Expenses:** VOCA funds cannot support relocation expenses for crime victims such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments. However, VOCA funds may be used to support staff time in locating resources to assist victims with these expenses.
- J. **Administrative Staff Expenses:** Salaries, fees and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals, are not allowed, unless these expenses are incurred while providing direct services to crime victims.
- K. **Development of Protocols, Interagency Agreements, and Other Working Agreements:** These activities benefit crime victims, but they are considered examples of the types of activities that subrecipients undertake as part of their role as a victim services organization, which in turn qualifies them as an eligible VOCA subrecipient.
- L. **Costs of Sending Individual Crime Victims to Conferences**
- M. **Activities Exclusively Related to Crime Prevention**
- N. **Inherently religious activities.**

Please note: THIS LIST IS NOT ALL-INCLUSIVE. For further clarification contact OCJP.

[Please click here for OCJP Unallowable Costs \(OCJP Chapter XV\)](#)

CHAPTER VI

VOCA PERFORMANCE MEASUREMENT AND DECISION MAKING

A. Performance Measurement

1. The Office of Criminal Justice Programs, like all funders, wants to be a responsible steward of limited federal and state grant money. To accomplish this goal, OCJP works to assure that grants are awarded to agencies that can demonstrate they make a difference for clients. We have continually worked with our subrecipient agencies to provide them with the tools and experience they need to manage their operations and to demonstrate their accountability. We recognize that the combination of output, outcome and satisfaction data comprise a best picture possible of an agency's performance.
2. OCJP is interested in subrecipient agencies improving performance as well as quantifying their effort. It has been demonstrated that agencies that want to survive and flourish must make significant efforts to continually improve performance and to be able to prove it with verifiable measurements.
3. Although output data is important and will continue to be collected, used and submitted to our federal funders, outcome data has provided us with additional information related to the results of agency efforts on the clients the OCJP/subrecipient partnership serves. Outcome information describes some change in the participant's condition and establishes the benefits of the funding in measurable terms.
4. We recognize that there are basically three reasons for attending to client outcomes:
 - (a) To Improve Program Performance - Agencies exist to help clients find better lives. Agencies want clients safer, more informed, aware of their options and exercising better judgment. Subrecipient agencies need solid information about how well their clients are doing in order to continue improving the quality of their programs.
 - (b) OCJP and other funding sources must be in a position to make funding decisions:
 - When funds are available, funding agencies need information on results to decide which service models to support.
 - When funds are limited, funding agencies must be able to direct limited resources toward approaches known to work.
 - (c) To Meet Federal Reporting Requirements.
5. Performance data can be used to monitor and measure individual program performance or aggregated by project type, the state and/or fund source.
6. OCJP will continue to expect programs to use the logic model to describe how

their grant-funded project theoretically works to benefit the target group. OCJP will also continue to collect and use output and outcome information as we manage our federal grants.

7. The data collected and reported by Tennessee subrecipients answer three questions:
 10. **OUTPUTS** - What are we doing?
 11. **SATISFACTION** - How well are we doing it?
 12. **OUTCOMES** - How is the client doing?
8. OCJP does not collect information with which to compare one program or project with another. However OCJP publishes data on our website by which any agency can compare their own data with data reported by like projects.

B. **OCJP Decision-Making**

1. OCJP conducts Performance Management Reviews (PMR) of each subrecipient contract annually. The performance review process consists of a detailed weighing system that provides a historical perspective of past and present subrecipient performance.
2. The PMR consists of the following criteria, based on a 100 point scale: (See [Appendix G](#))
 - (a) **Integrity of Program Design** – the logic model description of the program. (15%)
 - (b) **Reporting History** – compliance with output and outcome reporting requirements. (15%)
 - (c) **Program Performance** – considering compliance with victim and community/collaborator outcome measurement requirements; notification to OCJP of pertinent changes; history of spending; program manual understanding and overall program effectiveness. (50%)
 - (d) **Contract Monitoring** – ratings will examine program and fiscal findings. (20%)
3. OCJP will make funding/allocation decisions based on:
 - (a) Performance Management Review Ratings
 - (b) The funding priorities and requirements of the funding source
 - (c) Ensuring that funds are allocated across the state in a defensible and equitable manner.